United Nations S/2017/180

Security Council

Distr.: General
2 March 2017

Original: English

Letter dated 1 March 2017 from the President of the International Tribunal for the Former Yugoslavia addressed to the President of the Security Council

Pursuant to my responsibilities as President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, I write to report the continued non-compliance of Serbia with its obligations under article 29 of the Statute of the Tribunal, in respect of the pending contempt case against Petar Jojić, Jovo Ostojić and Vjerica Radeta.

You will recall that arrest warrants and orders for transfer of the accused have been pending execution by Serbia since 19 January 2015 and that the failure of Serbia to comply with its obligations was first reported by my predecessor, Theodor Meron, in his letter of 13 October 2015 addressed to the President of the Security Council. The fact that, more than two years later, Serbia has still not executed the arrest warrants is of the utmost concern.

Therefore, following a decision of 14 September 2016 of Trial Chamber I, in which the Trial Chamber formally advised me of the continued failure of Serbia to comply with its obligations under article 29 of the Statute, and pursuant to rule 7 bis (a) of the rules of procedure and evidence of the Tribunal, I hereby place the Tribunal's concerns on record and request that the Security Council take action with regard to this extremely serious matter.

I wish to recall at the outset that Serbia has a duty to cooperate with the Tribunal, pursuant to article 29 of the Statute of the Tribunal, and that this duty undoubtedly applies in contempt matters. In this respect, I draw your attention to the decision of 2 August 2016 of the Trial Chamber in relation to the cooperation of the Government of Serbia with the Tribunal, in which the Trial Chamber affirmed that article 29 of the Statute of the Tribunal created an obligation on States to cooperate with the Tribunal in contempt matters, and it emphasized the following points:

(a) The text of article 29 of the Statute of the Tribunal is not unambiguous, given that it indicates that States must cooperate with the Tribunal in relation to any request for assistance;

(b) The jurisprudence of the International Tribunal for the Former Yugoslavia firmly establishes that the Tribunal's jurisdiction extends to contempt of court, given that the ability to prosecute allegations of contempt is an indispensable element of the Tribunal's ability to effectively adjudicate allegations of serious violations of international humanitarian law;

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(c) The explicit incorporation of the crime of contempt within the jurisdiction of the International Residual Mechanism for Criminal Tribunals demonstrates the intention of the Security Council to ensure that the obligation of States to cooperate extends to contempt matters;

(d) Serbia cannot point to its national law in order to justify non-compliance with its international obligations;

(e) Serbia has in the past cooperated on the arrest and transfer of those accused in contempt cases.

As I have noted on previous occasions, any interference with the administration of justice undermines the integrity of the Tribunal's proceedings and has a chilling effect on actual and potential witnesses. It is therefore crucial that the Tribunal be enabled to dispose of the pending contempt case as soon as possible and, most importantly, before the end of its mandate, which is rapidly approaching. Furthermore, I consider that, at this point, all diplomatic channels have been exhausted and that Serbia has been allowed more than sufficient time to fulfil its obligations in the present case.

Indeed, I have repeatedly raised the matter of the failure of Serbia to cooperate, when speaking at the United Nations in my capacity as President of the Tribunal, including in my address to the Security Council on 8 June 2016 and my presentation of the annual report of the Tribunal to the General Assembly on 9 November 2016. The matter was also included in the assessments and reports on the Tribunal of 17 May 2016 (S/2016/454) and of 17 November 2016 (S/2016/976), as well as in my remarks to the Informal Working Group on International Tribunals on 7 December 2016. Subsequently, I again raised the issue in my address to the Security Council on 8 December 2016, in which I urged the members of the Council to ensure that Serbia complied with the Tribunal's orders and abided by its duties under article 29 of the Statute of the Tribunal.

In this respect, I was disappointed by the statement made by the representative of Serbia at the meeting of the Security Council held on 8 December 2016, in which he denied any obligation on the part of Serbia to cooperate with the International Tribunal for the Former Yugoslavia on matters of contempt. I listened carefully as the representative claimed to justify the actions of Serbia by relying on a decision of the High Court in Belgrade issued on 18 May 2016. The representative of Serbia asserted that the Statute of the Tribunal simply did not provide for the surrender of indictees accused of being in contempt of court; that was not written in the Statute. He went on to say that, presumably, if the Council had intended that indictment for crimes other than serious crimes could serve as a basis for extradition, it would have written that into the Statute.

I note that this statement clearly contradicts the legal position that Serbia has previously taken before the Trial Chamber and its past cooperation with the Tribunal in general in matters of contempt. Serbia has previously transferred several persons accused of contempt to the Tribunal, recognizing the Tribunal's authority to dispose of their cases. Furthermore, in January and February of 2016, Serbia was ordered by the Trial Chamber to report on actions taken to execute the arrest warrants against the accused, and it submitted regular reports from February to May 2016. Since then, Serbia has stopped abiding by this duty, but at no point did it raise before the Trial Chamber any question regarding the Tribunal's jurisdiction over contempt matters, even after the Trial Chamber issued its decisions of 2 August 2016 and 14 September 2016.

It is significant that Serbia chose the Security Council as the forum in which to make its new legal position known, and I consider that it would be most regrettable

for its past record of cooperation with the Tribunal to cease in this manner. I recall that the Security Council has in the past played a critical role in supporting the Tribunal on cooperation matters, including in the successful arrest of fugitives. Recently, a majority of members of the Council referred or alluded to the present contempt case during the debate held on 8 December 2016, calling for the strengthening of cooperation and noting that the Tribunal required full cooperation from Member States in order to effectively carry out its mandate. The Tribunal considers that concrete steps should now be taken.

For these reasons, I respectfully call upon the Security Council to ensure accountability, to prevent impunity and to take the measures necessary to secure the compliance of Serbia with all of the Tribunal's orders consistent with its obligation to do so under article 29 of the Statute of the Tribunal. In addition, I appeal to all Member States to execute the international arrest warrants and orders to surrender, as issued confidentially on 5 October 2016 and publicly or in public, redacted form on 29 November 2016, to secure the arrest and transfer of each of the accused.

In closing, I can only reiterate the urgency of transferring and trying the accused. The Tribunal will conclude its work in 2017, with the mandates of the judges expiring on 30 November 2017. It would be a stain on the legacy of the Tribunal, and a lamentable blow to international criminal justice in particular, if the pending case were not heard and concluded before the Tribunal closes its doors. I affirm my previously stated commitment to the Security Council that this contempt matter will not be a reason to prolong the Tribunal's mandate and that the Tribunal stands ready to ensure a speedy and fair trial.

I should be most grateful if you would bring the present letter to the attention of the members of the Security Council and have it circulated as a document of the Council.

(*Signed*) Carmel **Agius**
President

United Nations S/2017/181

Security Council

Distr.: General
1 March 2017

Original: English

Letter dated 1 March 2017 from the President of the Security Council addressed to the Secretary-General

Further to Ambassador Olof Skoog's letter of 25 January 2017, I have the honour to inform you that the members of the Security Council have agreed to send a mission to the countries of the Lake Chad basin — Cameroon, Chad, the Niger and Nigeria — during the period from 1 to 7 March 2017. They have also agreed on the terms of reference of the mission (see annex).

I will be leading the mission with Ambassador François Delattre (France) and Ambassador Fodé Seck (Senegal).

Following consultations with the members, it has been agreed that the composition of the mission will be as follows:

Ambassador René Ernesto Fernández Revollo (Bolivia (Plurinational State of))
Mr. Shen Bo (China)
Ambassador Amr Abdellatif Aboulatta (Egypt)
Ambassador Tekeda Alemu (Ethiopia)
Ambassador François Delattre (France)
Mr. Alexis Lamek (France)
Ambassador Inigo Lambertini (Italy)
Ambassador Yoshifumi Okamura (Japan)
Ambassador Kairat Umarov (Kazakhstan)
Ambassador Fodé Seck (Senegal)
Ambassador Carl Orrenius Skau (Sweden)
Mr. Yuriy Vitrenko (Ukraine)
Ambassador Matthew Rycroft (United Kingdom of Great Britain and Northern Ireland)
Ambassador Michele Sison (United States of America)
Ambassador Luis Homero Bermúdez Álvarez (Uruguay)

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Matthew **Rycroft**
President of the Security Council

17-03213 (E) 020317

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Annex

Terms of reference of the Security Council mission to the Lake Chad basin

1. The Security Council will carry out its mission to the countries of the Lake Chad basin — Cameroon, Chad, the Niger and Nigeria — in the context of the presidential statements of 19 January 2015 (S/PRST/2015/4), 28 July 2015 (S/PRST/2015/14), 13 May 2016 (S/PRST/2016/7) and 20 January 2017 (S/PRST/2017/2) and in line with the letters dated 29 December 2016 (S/2016/1129) and 21 July 2015 (S/2015/555) from the President of the Security Council addressed to the Secretary-General.

2. The terms of reference of the mission are the following:

Security

(a) To assess the security situation in the countries of the Lake Chad basin, namely Cameroon, Chad, the Niger and Nigeria, in particular the threat posed by the terrorist groups Boko Haram and Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), and the potential impact on the wider region;

(b) To commend Governments in the region on their efforts, including through the Multinational Joint Task Force, and the advances made to combat Boko Haram; to encourage the Member States participating in the Task Force to further enhance regional military cooperation and coordination, building on the conclusions of the second Regional Security Summit, held in May 2016, and in particular to consolidate military gains, strengthen cooperation and confidence-building with civilians, deny safe haven to all factions of Boko Haram and disrupt its links with other transnational and transregional terrorist groups; and to underscore how such efforts enable humanitarian access and facilitate the restoration of State authority and the rule of law in liberated areas;

(c) To receive briefings from the Governments in the region on their assessment of the effectiveness of measures taken to combat the threats, their current strategies and their predicted challenges and recommendations for further strengthening; to encourage the Economic Community of Central African States and the Economic Community of West African States, in coordination with the African Union, to accelerate current joint efforts to combat the threat posed by Boko Haram and to adopt a common strategy that addresses the drivers of the conflict; and to stress the need for Member States in the Lake Chad basin region to complement the regional military and security operations against Boko Haram and ISIL with national and regional efforts, with the assistance of bilateral partners and multilateral organizations;

(d) To express deep concern about the deadly attacks continuing to be perpetrated by Boko Haram and ISIL, most recently in Borno State, targeting civilians on 28 January and the Nigerian military on 25 January;

(e) To emphasize the need for enhanced protection of civilians, in particular for internally displaced persons, and for an end to sexual exploitation and abuse in camps for internally displaced persons; and to stress that those responsible for all

violations of international humanitarian law and abuses and violations of human rights must be held accountable and brought to justice;

(f) To acknowledge that women and girls are particularly targeted by Boko Haram and ISIL and to welcome the recent escape or release of 23 girls kidnapped by Boko Haram from Chibok in 2014; to encourage the continuing efforts to release the 197 girls remaining in captivity and all those abducted by Boko Haram during the conflict; to call upon all State and non-State actors to prevent and/or cease the abduction, recruitment and use and detention of children in violation of international law; to stress that it is important for the authorities to provide all survivors of abduction and sexual violence with rapid access to appropriate services and community reintegration to prevent the stigmatization of former captives or their children and to protect them from persecution or vigilante action; and to ensure that efforts are made to respond to reports of sexual exploitation and abuse of women in camps for internally displaced persons;

(g) To stress that any measures taken to counter terrorism, including by government forces and civilian joint task forces, must comply with obligations under international law, in particular international human rights law, international refugee law and international humanitarian law, and to call for accountability for those responsible for violations or abuses; to commend the Abuja Action Statement of June 2016 and inquire about its implementation; to express regret at the tragic incident in Rann, north-east Nigeria, on 17 January, which resulted in the death of numerous civilians, including aid workers, and to urge swift action to improve the protection of civilians, including through action on the findings of the investigation being conducted by the Nigerian authorities; and to commend the Government of Nigeria on its rapid call for an investigation into the sexual abuse and exploitation of internally displaced people in camps and to inquire about outcomes and next steps to address the matter;

(h) To highlight the need to increase the number of women in the police and the military so as to improve access to information and the protection of women and girls, especially in the light of the increased use of female suicide bombers;

(i) To address the connection between terrorist activities in the region and other transnational organized criminal activities and trafficking in all forms;

(j) To receive briefings from Governments in the region on their conflict prevention efforts, with the support of the United Nations Office for West Africa and the Sahel and the United Nations Regional Office for Central Africa, and to emphasize the support of the Security Council for those efforts;

Humanitarian

(k) To reiterate deep concern at the dire humanitarian situation in the Lake Chad basin region, to welcome recent reports of United Nations humanitarian organizations regarding improved access and delivery of aid to some affected populations, to urge Governments in the region to further facilitate humanitarian access, including in terms of bureaucratic and administrative procedures, for humanitarian organizations, and to promote collaboration with United Nations partners with the aim of developing and implementing viable and sustainable

options for delivering aid, including through more effective civilian-military coordination mechanisms;

(l) To receive updated information and briefings from government and humanitarian actors on the food security situation in the region, with a particular focus on the hardest-hit areas, as well as on suggested targeted measures to improve the situation that Governments, supported by the international community, could take in the short and medium terms;

(m) To meet displaced persons and study areas for targeted international support/mobilization for humanitarian assistance, early recovery and development and human rights protection, and to urge Governments in the region, donors and relevant international non-governmental organizations to urgently further scale up their efforts in the region and ensure close coordination of their efforts, including by promoting and enabling safe access to populations in need, improving living conditions in host communities, enhancing food security and increasing livelihood opportunities;

(n) To receive briefings from United Nations country teams and representatives of humanitarian organizations on their contribution to a coordinated international response to the emergency and early recovery, such as increasing synergies between humanitarian and development actors to promote sustainable solutions in support of the Governments of the region, and to encourage strong United Nations leadership that involves cross-border coordination, increased capacity and the development of multi-year, prioritized plans based on gender-sensitive programming;

(o) To receive briefings on current population movements, including displacement and return linked to the Boko Haram and ISIL conflict, to urge the authorities to uphold the principle of non-refoulement and ensure that any returns, both cross-border and internal, are voluntary, safe and dignified, and to encourage the Governments of Nigeria and Cameroon to finalize, in coordination with the Office of the United Nations High Commissioner for Refugees, a tripartite agreement solidifying their commitment to those principles;

Root causes

(p) To underscore the critical importance of a holistic approach to addressing the underlying drivers of the conflict and to preventing and countering terrorism and violent extremism, which can be conducive to terrorism, which includes enhanced efforts to improve governance, economic growth and education in affected areas, especially among young people, in cooperation with religious and other leaders;

(q) To stress the need for Governments in the region, with the assistance of partners, to consolidate the rule of law and strengthen efforts to tackle corruption, facilitate stabilization efforts, reconstruction and development, ensure a transition to civilian-led delivery of security and justice, prevent the illicit trafficking of weapons to armed groups, as well as any other form of illicit trafficking, protect human rights and promote gender equality and women's empowerment;

(r) To receive briefings from the Governments in the region and United Nations country teams on the impact of climate and ecological changes, including desertification, land degradation and drought, on the humanitarian and security

situation and long-term stability and development prospects in the region, and their role in exacerbating the traditional drivers of conflict;

(s) To assess and promote the contribution of civil society in the region, particularly youth and women's organizations, to conflict prevention, conflict resolution and humanitarian efforts, to assess the effectiveness of the partnerships between Governments in the region and civil society in those areas, and to interact with civil society, including women's organizations, in the field;

(t) To encourage relevant Governments in the region to collaborate with the United Nations in the implementation of the United Nations integrated strategy for the Sahel in order to address the underlying root causes of instability and conflict in the region;

Women's participation

(u) To affirm the vital role of women, including women in civil society, in the prevention and resolution of conflicts, peacebuilding and deradicalization efforts, to request an update on Governments' efforts to ensure the full and equal participation of women at all decision-making levels within national institutions and mechanisms for the prevention and resolution of conflicts, and to encourage Governments in the region and the United Nations to ensure the participation and leadership of women and women's organizations in developing strategies to counter Boko Haram and ISIL, stabilize the region and enable reconstruction and recovery;

Disarmament, demobilization, reintegration and deradicalization

(v) To encourage Governments in the region to develop a common approach to address defections and detentions relating to Boko Haram, including prosecutorial, rehabilitation and reintegration strategies and the transfer of detainees among affected countries, bearing in mind the need for due process, transparency and compliance with international human rights law and international humanitarian law; to underline the need to pay particular attention to the treatment and reintegration of women and children associated with this terrorist group, including the rapid handover of children to the appropriate agencies; and to call upon the Governments of the region to provide protection actors with access to all detention centres holding children in order to address their well-being and protection needs;

(w) To highlight the importance of regional disarmament, demobilization and reintegration for persons associated with Boko Haram, including defectors and detainees, as well as for the Civilian Joint Task Force and other vigilante and community-based security groups, with a component to address the specific protection needs of women and children, as a vital element of the transition from conflict to development, to enable community reconciliation and reintegration and to underpin the success of post-conflict stabilization efforts, and to encourage Governments in the region to invest in mechanisms for screening and processing persons associated with Boko Haram, including former enablers, fighters and commanders, dependants, displaced persons, detainees and other meaningful groups, into relevant categories to facilitate subsequent steps in the disarmament, demobilization and reintegration and other relevant processes,

(x) To discuss the reintegration programme established by the authorities in the Niger, which includes the setting up of dedicated camps for ex-militants while maintaining a balance to combat impunity and equally prioritizing community sensitization efforts, and to encourage all Governments in the region to begin actively preparing communities for the return of persons associated with Boko Haram as the number of defectors and returnees continues to grow throughout the region.

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Security Council

Distr.: General
2 March 2017

Original: English

Letter dated 1 March 2017 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

I have the honour to attach herewith a comprehensive compilation of violations of the ceasefire by the Sudan People's Liberation Army-North (SPLA/N) in Southern Kordofan and Blue Nile states in the period from 1 to 21 February 2017.

Having brought this to your kind attention, I should be grateful if the present letter and its annex were to be circulated as a document of the Security Council.

(*Signed*) Omer Dahab Fadl **Mohamed**
Permanent Representative

17-03498 (E) 060317

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Annex to the letter dated 1 March 2017 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Compilation of violations of the ceasefire by the Sudan People's Liberation Army-North in Southern Kordofan and Blue Nile states in the period from 1 to 21 February 2017

Date	*Particulars*	*State*
1 February	An SPLA/N force coming from Angarto, north-east of Talodi, looted 800 sheep from Bir Addanbalo village and returned to Angarto	Southern Kordofan
1 February	Four SPLA/N troops coming from Om Lubia, south-west of Abu Jibeha, killed a herd, abducted a child and looted 400 head of sheep from Almurrat village, before returning towards Om Lubia	Southern Kordofan
1 February	A force from SPLA/N coming from the Malkan area in Blue Nile attacked Samok village, killing one herdsman and abducting three others	Blue Nile
4 February	An 80-man force from SPLA/N coming from the Maik area attacked a Sudan Armed Forces (SAF) post in Zariba, 6 km north of Kurmuk, injuring two soldiers from SAF	Blue Nile
9 February	An SPLA/N force attacked Hijirat, killing seven children and looting 1,500 head of cattle	Southern Kordofan
10 February	A force from SPLA/N from Mairy Jowa, west of Kadugli, attacked herders, killing seven of them, injuring one, and looting cattle	Southern Kordofan
10 February	A force from SPLA/N moving from Jibilat Abusim camp, north-east of Rashad, attacked nomads in south-east Abbasiya, injured one herder and looted 100 head of cattle	Southern Kordofan
11 February	A force from SPLA/N attacked an administrative convoy of SAF in south-east Om Surduba, killing one soldier	Southern Kordofan
11 February	A force from SPLA/N coming from the Wairni area, in south-east Talodi, attacked herders and looted 10 head of cattle from Om Safafeer village	Southern Kordofan
13 February	A force from SPLA/N attacked Albajaya in eastern Kadugli, killing two herdsmen, one of them a child, and looted 300 head of cattle	Southern Kordofan
14 February	A force from SPLA/N coming from Wairni attacked herdsmen in the Merinj area, 90 km east of Talodi, and looted 70 head of cattle	Southern Kordofan
14 February	A force from SPLA/N coming from west of Moganza attacked traditional miners in the area between Torda and Maganza, stealing seven metal detectors and seven mobiles	Blue Nile

Date	*Particulars*	*State*
17 February	A force from SPLA/N coming from Saref Almur, south-west of Ab Karshola, attacked herdsmen in Jebel Birmeel, killing two of them, and looted 100 head of cattle	Southern Kordofan
18 February	A force from SPLA/N coming from the Khor el-Dahab area looted 400 head of sheep from the Kaiga Tamiro area	Southern Kordofan
21 February	A force from SPLA/N in 25 pick-up land cruisers attacked the SAF post in Almashaish, 38 km west of Kadugli, killing an SAF soldier and injuring others	Southern Kordofan

United Nations S/2017/183

Security Council

Distr.: General
7 March 2017
English
Original: Arabic

Identical letters dated 2 March 2017 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the following information:

The "international coalition" led by the United States has continued to carry out its dangerous attacks against the sovereignty and territorial integrity of the Syrian Arab Republic since it began its operations on 23 September 2014. Those attacks have targeted bridges, dams and lakes along the Euphrates River, including the Euphrates Dam, the Baath Dam, the Tishrin Dam and their reservoirs, as well as irrigation and power generation facilities. To illustrate the gravity of the risk posed by the air strikes of the "international coalition" on the Euphrates Dam, we wish to point out that the reservoir of the Euphrates Dam is 80 kilometres long and has a storage capacity of 14.16 billion cubic metres; and that the reservoir of the Tishrin Dam covers an area of 166 square kilometres and has a storage capacity of 1.883 billion cubic metres. The total destruction of these dams that are being targeted by the air strikes will wash away and flood cities, towns and villages, endangering the lives of hundreds of thousands of people living in those areas. In addition, damaging those dams will cut off the only source of irrigation and drinking water for the people living in Aleppo, Raqqah and Dayr al-Zawr governorates within the Euphrates basin, put a complete halt to agricultural projects and cripple Syria's power grid, which has already been damaged by the attacks and crimes carried out by armed terrorist groups.

The systematic sabotage of infrastructure perpetrated by the "international coalition" has had a devastating impact and serves to support terrorist groups such as Islamic State in Iraq and the Levant (ISIL) and Al-Qaida in spreading chaos and devastation, which will not be limited to the Syrian Arab Republic, but will extend to and cause similar damage in Iraq and affect residents along the Euphrates River in Iraq. The countries of the "international coalition" will bear full responsibility for that damage, as their actions are being carried out outside the framework of international legality, without the approval of the Security Council and the Syrian Government, and in flagrant violation of the Charter of the United Nations and international law.

The Syrian Arab Republic calls on the Security Council to fulfil its responsibility to maintain international peace and security, to take urgent action to rid the area of this looming threat, and to quickly put an end to the attacks of the "international coalition" against the Syrian Arab Republic which have caused the

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death of hundreds of innocent civilians and dozens of Syrian Arab Army personnel fighting off the terrorist group ISIL. The attacks have also caused heavy material losses and destruction to economic, service and oil and gas infrastructure and facilities, and to public and private property in the Syrian Arab Republic.

The Government of the Syrian Arab Republic stresses once again that the operation being carried out by the "international coalition" is in stark contradiction to the concern proclaimed by the member countries of that coalition for the welfare and safety of the Syrian people. It undermines the capabilities and achievements of the Syrian people, increases their suffering and hampers the reconstruction effort. The Government of the Syrian Arab Republic calls on the Security Council and the Secretary-General to compel the United States of America and the members of the "international coalition" to stop targeting the Euphrates Dam, the Tishrin Dam and the surrounding areas and other infrastructure, in order to forestall the looming catastrophe.

The Syrian Arab Republic affirms that the only way to seriously tackle terrorism in the Syrian Arab Republic and the area is through prior coordination and full cooperation with the Government of the Syrian Arab Republic and support for its fight against terrorism. In this regard, we should like to recall that the Government of the Syrian Arab Republic has repeatedly declared its willingness to coordinate with other States to combat the terrorism carried out by terrorist groups such as ISIL and the Nusrah Front and their associated groups and entities.

I should be grateful if this letter could be circulated as a document of the Security Council.

(*Signed*) Mounzer **Mounzer**
Minister Plenipotentiary
Chargé d'affaires a.i.

United Nations S/2017/184

Security Council

Distr.: General
7 March 2017

Original: English

Letter dated 2 March 2017 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

I have the honour to attach herewith the statement issued by the Ministry of Foreign Affairs of the Sudan on 17 February 2017, in which it welcomes the statement issued by the Troika (Norway, the United Kingdom and the United States) on the Sudan peace process (see annexes I and II).

I should be grateful if the present letter and its annexes were circulated as a document of the Security Council.

(*Signed*) Omer Dahab Fadl **Mohamed**
Permanent Representative

17-03729 (E) 090317 100317

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Annex I to the letter dated 2 March 2017 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Ministry of Foreign Affairs
Department of Media and Public Relations
Press Release

The Ministry of Foreign Affairs has issued a statement welcoming the joint statement issued on 17 February 2017 by the Troika States (the United States, the United Kingdom and Norway) on the peace process in the Sudan. The latter statement noted the seriousness of the Government of the Sudan, its responsiveness to the Chair of the African Union High-level Implementation Panel, its commitment to the ceasefire it had announced and its decision to accept the proposal of the United States to deliver humanitarian aid to those affected by the war in the Southern Kordofan and Blue Nile States. The Troika statement called on the Sudan People's Liberation Movement (SPLM)/North to accept African Union mediation and the United States proposal to deliver humanitarian aid to the two areas. It also called on the armed movements in Darfur to engage in the peace process and urged the Sudan Liberation Army-Abdul Wahid movement to cease hostilities and immediately engage in the ongoing peace process.

The Ministry's statement reaffirms the commitment of the Government of the Sudan to press ahead with its strategic choice of pursuing the peace process. The Government is working earnestly and sincerely with the Sudanese parties, and cooperating honestly and respectfully with Mr. Thabo Mbeki, the Chair of the African Union High-level Implementation Panel, whose active efforts are appreciated. The Ministry also notes the appreciation of the Government of the Sudan for the continued efforts of the Troika States and their support for the sustainable peace and security roadmap in Southern Kordofan, Blue Nile and Darfur States. Conditions in those States have improved and are now stable. The statement concludes by reiterating that the Government of the Sudan is fully committed to the ceasefire that it had declared and urges the armed opposition movements to respond immediately and earnestly to calls for dialogue and peace. It also urges them to join the dialogue and negotiation process in order to promote security, stability, national accord and comprehensive development, and it calls on SPLM/North to approve without delay the United States initiative to deliver humanitarian aid. A spirit of reconciliation has taken hold in the Sudan, with wide-ranging dialogue taking place as well as lively partisan political activity. There are more than 80 parties in the country and over 30 daily newspapers. There is no doubt that the Sudan is striving to address the roots of the conflict in the country, and it needs the international community's help in further integrating the Sudanese economy into the global economy. The international community must also forgive the country's debts, as it promised to do when the Naivasha peace agreement was signed, help the Sudan join the World Trade Organization and increase development aid, investment and trade.

Khartoum, 17 February 2017
Official Spokesperson for the Ministry of Foreign Affairs

Annex II to the letter dated 2 March 2017 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

[Original: English]

Joint Troika statement supporting the African Union High-level Implementation Panel peace process in the Sudan

The Troika (Norway, the United Kingdom and the United States) expresses its continued support for the African Union High-level Implementation Panel (AUHIP) peace process, led by former South African President Thabo Mbeki. In support of the AUHIP-brokered Roadmap Agreement signed by both the Government of the Sudan and the opposition, the Troika urges the signatories to honour the Agreement by concluding comprehensive cessations of hostilities and engaging in an inclusive political dialogue. The Government of the Sudan must now create an environment that is conducive to freedom of expression and political participation by both armed and unarmed opposition in the Sudan.

The Troika is also encouraged by the decision of the Government of the Sudan to accept the proposal of the United States to support humanitarian assistance to Southern Kordofan and Blue Nile States (the "Two Areas"). The proposal of the United States is intended to facilitate humanitarian assistance to affected populations in the Two Areas, in line with AUHIP efforts for broader negotiated humanitarian access. The Troika urges the Sudan People's Liberation Movement-North to swiftly accept this proposal and facilitate the delivery of life-saving assistance to those in need in the Two Areas.

The ongoing unilateral ceasefires are a significant step towards peace throughout the Sudan. However, in order to realize sustainable peace, all parties must engage in a political process. The Troika also encourages continued engagement by the armed movements from Darfur with the AUHIP peace process. We call on the Sudan Liberation Movement/Abdul Wahid al-Nur to cease hostilities and immediately engage with the AUHIP peace process. The Troika also encourages the Government of the Sudan to make progress on addressing the root causes of the conflict.

17 February 2017

United Nations A/71/821–S/2017/185

General Assembly
Security Council

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2 March 2017

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General Assembly
Seventy-first session
Agenda items 32 and 37

Security Council
Seventy-second year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Identical letters dated 28 February 2017 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

In accordance with instructions received from my Government, I have the honour to transmit herewith the statement of the Ministry of Defence of the Republic of Azerbaijan dated 25 February 2017 and the statement of the Spokesperson and Head of Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan dated 26 February 2017 regarding the recent provocation on the front line by the armed forces of the Republic of Armenia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 32 and 37, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

17-03530 (E) 080317

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Annex to the identical letters dated 28 February 2017 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Defence of the Republic of Azerbaijan

25 February 2017

The enemy carried out a large-scale provocation along the entire front line.

On 25 February at midnight, Armenian Armed Forces' military units made an attempt to penetrate into the positions of the Azerbaijani Armed Forces in different directions with the aim of carrying out a large-scale provocation on the front line.

As a result of constant surveillance of the enemy, setting up ambushes and combat security, the enemy action had been identified in advance. The military units of the Azerbaijani Armed Forces took firm measures to prevent the enemy penetration to the depth of our defence.

Fierce fighting took place between the enemy, trying to seize advantageous positions in the Khojavand-Fizuli direction of the front, and our military units.

The enemy forces were forced to retreat as a result of the brave action of the units of the Azerbaijani Armed Forces, which were standing in ambush set up in this direction.

The Azerbaijani side suffered losses as a result of the fighting.

Failing to move forward in various areas, the enemy, using heavy artillery, subjected to fire the positions of the Azerbaijani Armed Forces.

In accordance with the operational situation, appropriate countermeasures are taken against the firing positions and staging areas of the enemy.

Statement by Hikmat Hajiev, Spokesperson and Head of Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan

26 February 2017

As stated by the Ministry of Defence of the Republic of Azerbaijan on 25 February, at midnight the armed forces of Armenia made an attempt to penetrate into the positions of the armed forces of Azerbaijan with the aim of conducting large-scale provocation on the front line and trying to seize advantageous positions in the Khojavand-Fizuli direction of the front.

The escalation of the situation on the front and the perpetration of military provocations are a continuation of Armenia's political provocations such as the holding of an illegal "referendum" in the occupied territories of Azerbaijan on 20 February 2017. The political and military provocations of Armenia are aimed at deliberate escalation of the situation and undermining the efforts for a solution of the conflict via the substantive talks, diverting the attention of the international community on the anniversary of the Khojaly genocide from the responsibilities borne by Armenia for Khojaly, and strengthening the already lost social support base and position of Armenia's ruling regime in forthcoming parliamentary elections in Armenia.

The Azerbaijani side has repeatedly emphasized that the illegal presence of armed forces of Armenia in the occupied territories of Azerbaijan remains the prime reason for the escalation of the situation. The events that occurred in April last year proved it over again. The international community, particularly the OSCE Minsk Group Co-Chairs at the Heads of State level, on many occasions stated that the status quo is unacceptable and unsustainable and must be changed.

With a view to preventing the escalation of the situation and changing the status quo of occupation, and ensuring sustainable peace in the region, full and unconditional withdrawal of the armed forces of Armenia from all occupied territories of Azerbaijan has to be provided based on the relevant resolutions of the Security Council.

The instigator of the escalation of the situation on the front is Armenia and therefore all responsibility falls on the political-military leadership of Armenia.

United Nations S/2017/186

Security Council

Distr.: General
2 March 2017

Original: English

Letter dated 28 February 2017 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), established by Security Council resolution 2100 (2013) of 25 April 2013, and most recently extended by resolution 2295 (2016) of 29 June 2016.

Following the usual consultations, I would like to inform you of my intention to appoint Major General Jean-Paul Deconinck (Belgium) as Force Commander of MINUSMA. Major General Deconinck will succeed Major General Michael Lollesgaard (Denmark), who completed his tour of duty on 31 December 2016.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) António **Guterres**

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United Nations S/2017/187

Security Council

Distr.: General
2 March 2017

Original: English

Letter dated 2 March 2017 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 28 February 2017 (S/2017/186) concerning your intention to appoint Major General Jean-Paul Deconinck (Belgium) as Force Commander of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Matthew **Rycroft**
President of the Security Council

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United Nations S/2017/188

Security Council

Distr.: General
3 March 2017

Original: English

Letter dated 2 March 2017 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2340 (2017) of 8 February 2017, by which the Council decided to extend until 12 March 2018 the mandate of the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005) and requested that I take the necessary administrative measures in that regard.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan, I have appointed the following experts:

- Mr. Thomas Bifwoli Wanjala, transport and customs (Kenya)
- Mr. Vincent Darracq, regional (France)
- Ms. Daniela Kravetz Miranda, international humanitarian law (Chile)
- Mr. Warren Melia, arms (United Kingdom of Great Britain and Northern Ireland)
- Mr. Abhai Kumar Srivastav, finance (India)

I have also designated Mr. Wanjala to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) António **Guterres**

17-03568 (E) 060317

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United Nations A/71/826–S/2017/189

General Assembly
Security Council

Distr.: General
3 March 2017

Original: English

General Assembly
Seventy-first session
Agenda item 36
The situation in Afghanistan

Security Council
Seventy-second year

The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 68/11 and Security Council resolution 2274 (2016), in which I was requested to report every three months on developments in Afghanistan.

2. The report provides an update on the activities of the United Nations in Afghanistan, including significant humanitarian, development and human rights efforts, since the issuance of my predecessor's report of 13 December 2016 (A/71/682-S/2016/1049). It also provides a summary of key political and security developments and regional and international events relating to Afghanistan. The annex to the present report contains an assessment of progress made towards the achievement of benchmarks and indicators since the issuance of the report of 7 March 2016 (A/70/775-S/2016/218), in accordance with Security Council resolution 1868 (2009).

II. Relevant developments

3. The Government continued to face significant political, economic and security challenges. The President of Afghanistan, Ashraf Ghani, and the Chief Executive, Abdullah Abdullah, continued to engage in bilateral discussions to improve their working relationship. An investigation into the role of the First Vice-President, Abdul Rashid Dostum, in the alleged illegal detention and abuse of a former Governor of Jowzjan Province was launched. Several key government positions remain vacant. The newly formed electoral management bodies took initial steps towards implementing electoral reforms and preparing for future elections. The Government also continued to advance its anti-corruption agenda. In parallel, the implementation of the peace agreement with Hizb-i Islami Gulbuddin advanced, including the lifting of sanctions against Gulbuddin Hekmatyar, but there was no

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discernible progress on peace talks between the Government and the Taliban. There was an increase in multilateral engagement at the regional level. The security situation continued to worsen, with armed clashes between security forces and the Taliban reaching a record high in 2016 and continuing at that pace in 2017. High levels of violence against civilians continued to be recorded as a result, with a significant increase in casualties among children and in internal displacements. Service delivery remained challenging given the difficult security situation. The economic situation remained fragile, with persistently low rates of economic growth and low investment rates.

A. Political developments

4. Since the previous report, the President and the Chief Executive continued their efforts to improve their working relationship. The two leaders discussed a mechanism to consult on senior appointments, share power and delegate responsibility among senior government officials.

5. On 13 December, the former Governor of Jowzjan, Ahmad Ishchi, publicly accused the First Vice-President of illegally detaining him for several days in late November and alleged that he had been sexually abused while in custody. The Government announced an investigation into the allegations, and, on 21 December, the Attorney General formally named Mr. Dostum a suspect. The First Vice-President has so far refused to comply with the Attorney General's summons for questioning. Prominent figures within the First Vice-President's political party, Junbish-i Milli, accused the Government of attempting to marginalize the ethnic Uzbek community and organized demonstrations to protest the Government's treatment of the First Vice-President.

6. The President continued his outreach efforts to critics and opposition figures, including two of the country's largest political opposition groups, the Afghanistan Protection and Stability Council and the High Council of National and Jihadi Parties, as well as the Governor of Balkh Province, Atta Mohammad Noor. Opposition groups maintained pressure on the Government to make appointments and other concessions, but toned down their public criticism of the President and the Chief Executive.

7. The future of the seven ministers who were the subject of votes of no-confidence in the National Assembly in November remained uncertain. Six continued serving in their positions, while a Supreme Court decision on the constitutionality of the votes of no-confidence remained pending. Several positions within the Government remained occupied by acting officials, including the Minister of Mines and Petroleum, the head of the Independent Directorate of Local Governance, the Minister of Information and Culture, the Minister of Information and Communications Technology and the Minister of Tribal Affairs.

8. On 21 January, the Chairperson of the High Peace Council, Pir Sayed Ahmad Gailani, died. At the time of his death, the Government was reportedly planning to formulate a new Afghan national peace and reconciliation strategy.

9. There has been no discernible progress towards a peace process between the Government and the Taliban. The implementation of the peace agreement of 29 September 2016 with Hizb-i Islami Gulbuddin advanced with the removal of the group's leader, Gulbuddin Hekmatyar, from the list of individuals sanctioned under resolution 1267 (1999) on 3 February, following a request from the Government of Afghanistan submitted on 13 December. Representatives of Hizb-i Islami Gulbuddin continued negotiations with the Government on issues such as the release of prisoners and accommodation arrangements for affiliates expected to return from

Pakistan. The prospect of Mr. Hekmatyar's return to Kabul has been cause for concern among his political rivals, who believe that a united Hizb-i Islami Gulbuddin under his leadership could become the country's largest political party. Human rights advocates have expressed their concern about the agreement, given its failure to fully address victims' grievances and suspected human rights violations.

10. The United Nations Assistance Mission in Afghanistan (UNAMA) facilitated a number of events in support of local peace initiatives during the reporting period to address, inter alia, long-standing land disputes and other sources of tension and conflict.

11. The Independent Election Commission and the Independent Electoral Complaints Commission, appointed in November 2016, took the initial steps towards implementing electoral reforms and preparing for future elections. The Independent Election Commission began its work, which included a technical study on electoral constituencies for submission to the Government, proposals on voter registration, the reallocation of polling centres and an electoral timeline. It also held consultative meetings on electoral constituencies and voter registration with stakeholders on 17 and 30 January. The Independent Election Commission publicly reaffirmed its commitment to establishing polling centre-based voter lists, in accordance with electoral law, and its spokesperson announced that electronic national identification cards will not be used for voter registration. On 10 February, the Independent Election Commission spokesperson announced that parliamentary and district council elections would be held in 2018. The Independent Electoral Complaints Commission reached out to electoral stakeholders, and, on 30 January, signed a memorandum of understanding with civil society organizations that outlines terms for their future cooperation.

12. The Independent Election Commission also commenced the recruitment process for the position of Chief Electoral Officer. On 12 January, the Commission recommended three candidates to the President in a letter signed by only four of the seven commissioners. On 26 January, a spokesperson for the Chief Executive publicly stated that the three nominees were unacceptable owing to their alleged lack of qualifications and ties to previous commissioners. On 3 February, election watchdog groups criticized the Government for its silence and called for a decision preserving the independence of the Commission.

B. Security

13. The overall security situation continued to deteriorate throughout 2016 and into 2017. The United Nations recorded 23,712 security incidents, an almost 5 per cent increase compared with 2015 and the highest number in a single year ever recorded by UNAMA. While the fighting remained particularly prevalent in the five southern and eastern provinces of Helmand, Nangarhar, Kandahar, Kunar and Ghazni, where 50 per cent of all incidents were recorded, the conflict spread in geographical scope, with increasing Taliban activities in northern and north-eastern Afghanistan, as well as in Farah in the west. The Taliban continued to put pressure on the Government's control of the provincial capitals of Farah, Kunduz, Lashkar Gah, Helmand Province, and Tirin Kot, Uruzgan Province. International and Afghan air support and the deployment of Afghan special forces remained critical to the holding of these cities. In late November, the Taliban captured the Ghorak district administrative centre of Kandahar Province, bringing to 14 the total number of districts claimed by the Taliban to be under their control. In addition, the control of a number of districts has been contested, with some reports claiming an increase in the percentage of Afghan territory under Taliban influence. The fighting evolved further in character as the number of armed clashes between the Taliban and

Government security forces increased by 22 per cent in 2016, accounting for 63 per cent of all security incidents, the majority of which were initiated by the Taliban. Improvised explosive device attacks continued to decline in 2016, however, and were 25 per cent lower than during the previous year.

14. Between 18 November 2016 and 14 February 2017, the United Nations recorded 5,160 security-related incidents. This represents a 10 per cent increase compared with the same period in 2015 and a 3 per cent increase compared with the same period in 2014. The number of armed clashes recorded in January 2017 increased by 30, compared with January of 2016, and reached 1,877, the highest number recorded by the United Nations for that month. Improvised explosive device attacks increased by 11 per cent compared with the same period in 2016. The Taliban also increased the pressure in Helmand Province, including through heavy fighting in the district of Sangin in late January and early February.

15. On 10 January, an improvised explosive device detonated at the residence of the Governor of Kandahar during a dinner he was hosting for visiting diplomats and dignitaries, killing 13 civilians, including 6 diplomats from the United Arab Emirates, and injuring 19 others. On 15 February, the Ambassador of the United Arab Emirates, who was injured in the attack, died from his wounds. No group has claimed responsibility for the attack.

16. The Afghan security forces continued to face significant challenges, in particular regarding operational capacity. Shortcomings in the areas of command and control, leadership and logistics, and high attrition rates, have a significant impact on morale, recruitment and sustainability. The intensifying conflict resulted in increasing casualties among both the security forces and the Taliban. Re-enlistment and retention rates are too low to compensate for the losses incurred through increased casualties and desertion. By February, the numbers of army troop members and Afghan National Police officers stood at 86 per cent and 94 per cent of projected levels, respectively.

17. Islamic State in Iraq and the Levant-Khorasan Province (ISIL-KP) maintained its presence in southern Nangarhar Province, as well as in Kunar and Nuristan Provinces. Notwithstanding the clearing operations of the Afghan National Defence and Security Forces, with the support of international military forces, by the end of 2016, the group reportedly returned to the areas from which they were cleared.

18. During the reporting period, there were 21 incidents involving United Nations personnel, including seven incidents of intimidation, one improvised explosive device-related incident, seven criminal related incidents, and the theft of one United Nations vehicle.

C. Regional cooperation

19. During the reporting period, there was a marked increase in bilateral diplomatic outreach between Afghanistan and its neighbours. Bilateral relations between Afghanistan and Pakistan continued to be strained, however. In the wake of the suicide attack perpetrated in Kandahar City on 10 January, Afghan officials, including National Security Adviser Hanif Atmar and Chief of Police of Kandahar Province Abdul Razziq, publicly blamed the attack on foreign actors. Demonstrations were held outside the embassy of Pakistan in Kabul and outside its consulates in Kandahar and Herat, at which protestors called upon the Government to cut diplomatic ties with Pakistan. The recently appointed Chief of Army Staff of Pakistan, General Javed Bajwa, placed a telephone call to his Afghan counterpart and to the President and the Chief Executive of Afghanistan, on 31 December 2016. General Bajwa also called the President on 15 January to offer condolences over the

Kandahar attack of 10 January and to discuss cooperation on security issues. Bilateral tensions increased again, however, following a series of attacks in Pakistan. Senior Pakistani officials blamed some of the attacks on insurgents based in Afghanistan. Following those incidents, Pakistan closed its border with Afghanistan to all traffic and conducted cross-border shelling, targeting suspected militants on Afghan territory.

20. On 9 and 10 January, the Deputy Minister for Foreign Affairs of Afghanistan, Hekmat Karzai, led an Afghan delegation to Tashkent for the first round of an Afghanistan-Uzbekistan political dialogue. On 11 January, the Chief Executive led a high-level delegation to Tehran. During the visit, he met with the President of the Islamic Republic of Iran, Hassan Rouhani, and discussed support for Afghanistan on security and political issues. On 17 January, the Minister for Foreign Affairs, Salahuddin Rabbani, led a delegation to the United Arab Emirates, subsequent to the Kandahar attack of 10 January. Subsequently, the President of Afghanistan visited the United Arab Emirates on 11 and 12 February to extend his condolences to the families of the victims of the attack. From 6 to 8 February, Mr. Rabbani visited Moscow, meeting with the Minister for Foreign Affairs of the Russian Federation, Sergey Lavrov, to discuss cooperation on a range of issues, including economic and security matters. The two sides reaffirmed the common position that the Taliban should be involved in constructive dialogue towards a peace process.

21. There was an increase in multilateral engagement at the regional level. The sixth "Heart of Asia" ministerial conference was held in Amritsar, India, on 4 December. At a trilateral meeting held in Moscow on 27 December, China, Pakistan and the Russian Federation discussed the deteriorating security situation in Afghanistan. A spokesperson for the Ministry of Foreign Affairs of Afghanistan objected to the exclusion of Afghanistan from the meeting. Participation at the following meeting, held in Moscow on 15 February, was expanded to include six countries, including Afghanistan, India and Iran (Islamic Republic of). Following the meeting, the Ministry of Foreign Affairs of the Russian Federation issued a statement noting that participants had agreed to accelerate their efforts to support the Afghan peace process and announcing that the Central Asian republics would be invited to attend the next regional meeting on Afghanistan.

22. Economic cooperation also increased during the reporting period. The Minister for Foreign Affairs of Uzbekistan, Abdulaziz Kamilov, visited Kabul on 23 and 24 January, and, during that visit, a bilateral economic road map was announced, under which annual trade between the two countries is projected to grow from $429 million in 2016 to $1.5 billion in 2017. Mr. Kamilov met with the President and the Chief Executive of Afghanistan and signed five memorandums of understanding with his counterpart in Afghanistan, Mr. Rabbani.

III. Human rights

23. The human rights situation deteriorated further in 2016 and into 2017, with the continued growing toll of the fighting on the civilian population. On 6 February 2017, UNAMA released its annual report for 2016 on the protection of civilians in armed conflict. It found that civilians increasingly suffered the consequences of the conflict in Afghanistan, with the highest number of civilian casualties in a single year documented by UNAMA since 2009. UNAMA documented 11,418 civilian casualties (3,498 dead and 7,920 injured), a 3 per cent increase compared with 2015. Conflict-related violence also destroyed homes, livelihoods and property, displaced thousands of families and restricted access to education, health and other services throughout the year. UNAMA attributed 61 per cent of all civilian casualties to

anti-government elements and 24 per cent to pro-government forces, of which 20 per cent was attributed to Afghan national security forces, 2 per cent to international military forces and 2 per cent to pro-government armed groups. Ground engagements between pro-government forces and anti-government elements remained the leading cause of civilian casualties, accounting for 4,295 casualties (1,070 dead and 3,225 injured), followed by the detonation of improvised explosive devices, complex and suicide attacks and targeted and deliberate killings.

24. UNAMA has documented an increase in attacks carried out by ISIL-KP targeting civilian government administrations, tribal elders and places of worship. The mission attributed 899 civilian casualties (209 dead and 690 injured) to ISIL-KP in 2016, compared with 82 civilian casualties (39 dead and 43 injured) in 2015. The majority of these casualties resulted from a pattern of deliberate sectarian attacks against the minority Shia Muslim community. ISIL-KP claimed responsibility for three separate attacks on 23 July, 11 October and 21 November 2016 that targeted members of the community living in Kabul.

25. Anti-government elements continued to perpetrate deliberate attacks targeting civilian government officials, including women, during the reporting period. On 21 December, the Taliban claimed responsibility for a complex attack against the home of a member of parliament in Kabul, in which eight civilians were killed and seven others were injured. In addition to the attack by anti-government elements on the residence of the Governor of Kandahar Province on 10 January, on the same day, the parliamentary administration compound in Kabul was hit by a suicide attack, for which the Taliban claimed responsibility and in which 34 civilians were killed and 75 others were injured. On 7 February, 20 civilians were killed and at least 40 injured in a suicide attack outside the Supreme Court in Kabul.

26. Children continued to suffer disproportionately from violence. During 2016, the country task force on monitoring and reporting documented 1,707 verified incidents of killing and maiming, resulting in 3,512 child casualties (923 dead and 2,589 injured), a 24 per cent increase compared with 2015. In the fourth quarter of 2016, the task force verified 440 incidents that had resulted in 1,009 child casualties Of the 268 dead were 200 boys, 66 girls and 2 undetermined and, of the 741 injured, 520 boys, 216 girls and 5 undetermined. With respect to the recruitment and use of children by the parties to the conflict, the task force documented 57 incidents involving the recruitment or use of 91 boys in 2016. The majority of those children were recruited or used by anti-government elements.

27. On 4 December 2016, at the request of the Minister of Justice, UNAMA released a comprehensive assessment of juvenile rehabilitation centres in Afghanistan which measured compliance with United Nations international standards for the treatment of juveniles deprived of their liberty. In the assessment, UNAMA noted positive trends in juvenile rehabilitation centres in Afghanistan, while also outlining the critical need to improve in-detention education and post-rehabilitation care for young Afghans to help them to re-enter society. UNAMA is now supporting the Ministry of Justice in the implementation of those recommendations. As at 31 December 2016, 122 boys were being held in the adult maximum security detention facility in Parwan on national security-related charges, including for association with armed groups.

28. The targeting of health and educational facilities and workers continued. In 2016, UNAMA verified 119 conflict-related incidents targeting health services or health-care workers which resulted in 23 civilian casualties (10 dead and 13 injured) and 42 civilian abductions, consistent with figures documented in 2015. In addition, UNAMA documented the occupation and use of 23 medical facilities for military purposes. In the last quarter of 2016, the country task force on monitoring and

reporting, using its own methodology, documented 31 verified incidents targeting health facilities and health-related personnel. In 2016, UNAMA verified 94 conflict-related incidents targeting education facilities and education-related personnel, representing a 20 per cent decrease compared with 2015, which resulted in 91 civilian casualties (24 dead and 67 injured) and negatively impacted children's access to education. UNAMA continued to record the use of educational facilities for military purposes by parties to the armed conflict. In 2016, it documented the use of 42 educational facilities, mainly by Afghan security forces, which occupied or used 34 schools.

29. Violence against women remained prevalent. On 17 December, five female contractors of a security company operating at Kandahar International Airport were killed on their way to work by unidentified armed men. In addition, UNAMA documented the execution of a woman by anti-government elements in Badghis Province on 15 December and two additional incidents involving the lashing of women in Ghazni Province for alleged "moral crimes". On 25 December, anti-government elements beheaded a woman in Sari Pul Province after she had reportedly openly criticized the practices of the Taliban. On 26 January in Farah Province, a group of Taliban fighters killed a 50-year-old woman when they failed to locate her sister, an Afghan National Police officer, who was their intended target. On 1 February in the Faizabad district of Badakhshan Province, armed assailants killed an 18-year-old young woman, reportedly for her refusal of a marriage proposal from the Taliban's shadow governor. The United Nations continued to support 11 centres for the protection of women and five family guidance centres providing life-saving and essential services to women in need in nine provinces, out of a total of 37 such centres.

30. During the reporting period, the provincial administrations continued to establish gender and women's affairs committees mandated with mainstreaming concrete gender equality initiatives in the work of departments in their respective provinces. Committees are now operational in at least 12 provinces. On 5 December, the Government publically launched its strategy and action plan for the elimination of violence against women for the period 2016-2020. On 9 January, a joint commission comprising members of the lower and upper houses of the National Assembly approved the revised text of the law on the elimination of harassment against women and children. The law is awaiting the endorsement of the President. Discussions on funding for the implementation of the national action plan for the implementation of Security Council resolution 1325 (2000), however, remained inconclusive. At the same time, the National Security Council has initiated the drafting of a strategy for countering violent extremism, and consultations with various stakeholders are under way.

31. On penal reform, in January, an annex to the current Penal Code of 1976 was approved by the National Assembly and endorsed by the President. It criminalizes land usurpation, for the first time, as well as incorrect asset declarations and illicit enrichment. The revised Penal Code was approved, in principle, by the Cabinet of Ministers in September. The Penal Code is currently under review by the High Council on Rule of Law and Anti-Corruption before it will be submitted to the National Assembly.

IV. Implementation of the Kabul process and the coordination of development assistance

32. The economic situation remained fragile in Afghanistan. The most recent World Bank estimate of the 2016 growth rate stands at 1.2 per cent, representing a

modest increase from 2015 but still marginally lower than earlier projections. The Government continued its fiscal reforms, reporting in December that it had exceeded the International Monetary Fund targets for domestic revenue collection in 2016, with an increase of 34 per cent in nominal value and 27 per cent in real terms, compared with 2015. Investor concerns about security and the degree to which the country provided a business-enabling environment, however, continued to negatively affect investor confidence.

33. The national budget for the Afghan fiscal year A.H. 1396 (A.D. 2016/17) was approved by the National Assembly and promulgated on 23 January. The national budget of $6.4 billion was reduced by 7.7 per cent relative to the previous year's budget. The largest reduction, of over $415 million, was in the security sector, as a result of fuel procurement costs for both the Ministry of the Interior and the Ministry of Defence having been taken "off budget" and bilaterally procured and supplied. Further reductions were made to the development budgets for health and economic governance, as well as for infrastructure, although the latter sector is expected to receive more than half of development expenditure for 2016/17. The budget for development projects self-funded by the government was also reduced by 8 per cent relative to the previous year's budget.

34. The United Nations country team initiated its midterm review of the United Nations Development Assistance Framework. In discussions convened subsequent to the meeting held in Brussels in October 2016 on the implementation of the Self-Reliance through Mutual Accountability Framework, a number of donors in Kabul indicated that they were similarly engaged in strategic planning or review exercises and agreed to coordinate discussions with a view to developing shared contextual analyses. Such discussions began in Kabul on 19 January, with emphasis placed on the importance of service delivery in a context of declining access, the role of extractive industries in development, linkages between humanitarian and development initiatives, challenges to job creation, engagement with civil society organizations and the reliability, handling and interpretation of data.

35. The Government continued to pursue its anti-corruption agenda. On 29 January, the new permanent premises of the Anti-Corruption Justice Centre were inaugurated in Kabul. To date, the Centre has tried six first-instance cases, of which three have had their convictions affirmed on appeal, including a complex $360,000 embezzlement case involving nine accused. On 9 January, the Anti-Corruption Justice Centre trial court convicted a major general of the Ministry of the Interior on charges of bribery and sentenced him to 14 years' imprisonment. On 15 February, a district Police Chief was convicted of money-laundering and sentenced to three years' imprisonment. Prosecutors with the Centre recently indicted the Deputy Minister of Urban Development on embezzlement charges involving hundreds of millions of dollars. His trial is pending. Consultations on the drafting of the national anti-corruption strategy and anti-corruption law to reform government prevention and oversight institutions continued.

36. The Cabinet of Ministers approved the independent land authority's proposed land management law on 7 December 2016. It will be submitted to the National Assembly for its endorsement when it reconvenes on 6 March 2017. The draft law provides for the criminalization of land usurpation, strengthening the role of the authority in land registration and titling and providing greater security of land tenure for women.

37. The Government continued its efforts to improve governance at subnational levels. The Independent Directorate of Local Governance took steps to restructure all its capacity-building, monitoring and evaluation programmes. On 24 January, a new capacity-building strategy was put forward for internal government

consultations. The merit-based recruitment of 34 gender specialists and 34 monitoring and evaluation specialists commenced, with a view to mainstreaming gender perspectives in administration at the local level. The specialists are to be based out of the offices of provincial governors. In 2016, as part of the Government's efforts to ensure merit-based civil service recruitment, all new appointments were made through a merit-based process, bringing the total number of merit-based appointments to 53 district governors (14 per cent) and five deputy provincial governors (15 per cent). A total of 20 mayors (12 per cent) were appointed directly by the President.

38. To bolster the number of women officers in the Afghan National Police, 250 new women recruits were given training in Sivas, Turkey, with the support of the United Nations Development Programme. The recruits finished their four-month training programme on 5 January and were assigned to posts within the Afghan National Police. Nevertheless, the total number of women police officers within the police force remains below 2 per cent.

V. Humanitarian assistance

39. The humanitarian situation further deteriorated in 2016 and into 2017, with record numbers of new, conflict-induced internal displacements, a situation compounded by the return of more than 620,000 refugees and undocumented Afghans from Pakistan. The number of newly internally displaced persons in 2016 was recorded as 651,751 in 32 of 34 provinces, with more than 45 per cent of them displaced between October and December. This is the highest number of internally displaced persons recorded in the region, with 220 districts recording conflict-induced displacement and a 38 per cent overall increase compared with 2015. To date in 2017, 12,863 persons have been newly displaced, with 17 of 34 provinces already recording some level of forced displacement. The United Nations and non-governmental organizations provided humanitarian assistance, including cash, health services and supplies, shelter, food and non-food items, to the displaced populations.

40. The situation was further exacerbated during the second half of 2016 by the surge in the number of refugees returning through the voluntary repatriation programme of the Office of the United Nations High Commissioner for Refugees (UNHCR). As at 31 December, a total of 370,102 Afghans had registered as refugees returned from Pakistan, 2,290 returned from Iran (Islamic Republic of) and 185 returned from other countries. UNHCR suspended activities at encashment centres for the winter period on 15 December. At a tripartite meeting of Afghanistan, Pakistan and UNHCR on 15 February 2017, it was decided to resume the repatriation programme on 1 April. According to the results of extensive monitoring, returnees spent their reintegration cash grant ($400 per person on average) on meeting their immediate needs. Typically, cash grants were expended within two to three months.

41. The deportation and return of undocumented Afghans from Pakistan also increased significantly during the second half of 2016, with more than 214,000 arrivals, compared with 34,000 for the first six months of the year, for a total of 248,189 arrivals in 2016. This trend continued in 2017; as at 11 February, 8,300 undocumented Afghans had returned from Pakistan, close to the figure for the entire first quarter of 2016 (9,335 arrivals). The rate of arrivals remained steady from the Islamic Republic of Iran, averaging 30,000 to 40,000 per month. This trend also continued in 2017, with 39,151 undocumented Afghans returning from the Islamic Republic of Iran as at 11 February 2017. Of those from Pakistan, 7,563 had

spontaneously returned and 737 had been deported. Of those from the Islamic Republic of Iran, 20,912 had spontaneously returned and 18,239 had been deported. Returnees from Pakistan continue to cite increased policing and uncertainty over their status in Pakistan, including fear of eviction, as the main reasons for leaving. The numbers of returnees are anticipated to increase when the UNHCR repatriation programme resumes.

42. Many of the newly internally displaced and returnee Afghans in Afghanistan remained vulnerable to secondary or repeated displacement owing to the growing severity and reach of the conflict and a rise in commodity prices, as well as a scarcity of services and jobs in areas of high returnee settlement, in particular in the Baghlan, Kabul, Kunduz Laghman and Nangarhar Provinces. Although the large urban centres of Jalalabad and Kabul became a destination of choice, in particular among undocumented returnees, the absorption capacity in urban settings, in particular in terms of access to land, health care and education, was limited. A policy framework for returnees and internally displaced persons that addresses issues such as harmonization of support, free choice of settlement, the provision of identity cards and an action plan for returnees and internally displaced persons was adopted on 14 February.

43. The migration of Afghans to Europe decreased in 2016. Approximately 42,000 of the 362,000 arrivals by sea were Afghans, accounting for 12 per cent of arrivals. This is a significant decrease compared with 2015, when Afghans accounted for 21 per cent of an estimated one million arrivals. At the same time, the number of returnees from Europe significantly increased during 2016, with 6,864 returnees assisted by the International Organization for Migration (IOM), compared with 1,419 in 2015. Between 1 November 2016 and 11 February 2017, IOM provided assistance to 1,045 voluntary returnees from Europe. During the autumn, a number of bilateral readmission agreements were signed between the Governments of several European countries and the Government of Afghanistan. In addition, the Government and the European Union agreed upon a joint way forward on migration issues which included provisions on readmission and return.

44. In 2016, Afghanistan continued to host a significant number of refugees from Pakistan who fled military operations in North Waziristan that were launched in 2014. By the end of 2016, the number of those refugees stood at 125,000. Most refugees reside in host communities with tribal affinities, although one camp for approximately 20,000 individuals was established in Khost Province. Humanitarian partners focused interventions on promoting self-sufficiency and addressing the needs of the most vulnerable. In early 2017, an agreement was reached between refugee elders and representatives of the federally administered tribal areas of Pakistan which resulted in the return of a small number of refugees to Pakistan. The majority of refugees have stated their intent to remain in Afghanistan, pending further assurances of their protection and the availability of reintegration assistance in their areas of origin in Pakistan.

45. Constraints on humanitarian access continued to be recorded and were primarily owing to insecurity. In total, 200 incidents affecting non-governmental organizations, the United Nations and other international humanitarian organizations were registered in 2016, compared with 255 in 2015. Overall, in 2016, 15 aid workers were killed and 26 injured, compared with 66 killed and 91 injured during the previous year. A total of 121 aid workers were abducted in 2016. Incidents against aid workers increased again in January 2017, with 42 incidents reported, compared with 17 in January 2016. Health workers and facilities in Afghanistan continue to be affected, with 29 incidents occurring during January 2017 countrywide. On 8 February, national staff from the International Committee of the Red Cross travelling in Jowzjan Province came under attack and six were

killed. The overall decrease in security incidents is largely attributed to enhanced security measures and a reduced humanitarian footprint. Polio eradication efforts were particularly challenged by security and access constraints. Accessibility improved in eastern Afghanistan following dialogues regarding access, and the number of inaccessible children was reduced from 73,355 in the August 2016 subnational immunization campaign to 17,488 in the December campaign.

46. Owing to the number of vulnerable Afghan returnees returning to areas of recent or historic conflict, the United Nations and mine action partners provided risk education on mines and explosive remnants of war to returnees. Since January, 16,391 returnees have received this education. In addition, in the period between 1 November 2016 and 31 January 2017, mine action partners, coordinated by the Mine Action Service, have declared 37 communities mine-free. This enables approximately 10,000 individuals, across 12.05 km2, to move freely within their community to pursue their education and conduct agricultural and business activities. However, it is estimated that 3,635 minefields, 318 battlefields and 59 contaminated firing ranges remain, which affects 1,527 communities, in addition to the continued threat from pressure-plate improvised explosive devices.

47. On 21 January 2017, the Government and the United Nations launched an appeal for $550 million for the humanitarian response plan, which aimed at meeting the critical humanitarian needs of 5.7 million people. This is a 13 per cent increase owing to the increasing population displacements as a result of the continued and expanding conflict. Overall, some 9.3 million people are in need of humanitarian assistance. In 2016, the humanitarian response plan was 83.8 per cent funded. Overall humanitarian funding reached $535.4 million in 2016. Of that, $284.1 million of the requested $339 million designated for activities envisaged in the humanitarian response plan was received.

VI. Counter-narcotics

48. After a decline in 2015, poppy cultivation and opium production rose again during the reporting period. On 24 December, the Ministry of Counter-Narcotics, with support from the United Nations, released the full report of the Afghanistan opium survey for 2016. As previously reported, an increase in poppy cultivation of 10 per cent compared with 2015 and a 45 per cent increase in opium production is noted. The increase is largely attributed to a larger yield per hectare and the fact that poppy cultivation areas subject to eradication decreased by 91 per cent. Between 1 November 2016 and 31 January 2017, Afghan law enforcement authorities conducted a total of 517 counter-narcotics operations, which resulted in the seizure of 1,076 kg of heroin, 23,600 kg of morphine, 15,370 kg of opium, 4 kg of methamphetamine, 266,933 kg of hashish, 686 K-Tablet (synthetic drug) tablets, 32,024 kg of solid precursor chemicals and 10,924 litres of liquid precursor chemicals. In addition, 583 suspects were arrested, 25 heroin processing laboratories were dismantled and 126 vehicles, 39 weapons, 102 mobile telephones and seven radios were seized. One member of the Afghan National Defence and Security Forces was killed and six were wounded in the course of these operations.

49. A new law on countering narcotics, which was approved by the Council of Ministers in 2016, is now with the National Assembly. On 27 January, the United Nations Office on Drugs and Crime released the first assessment of the synthetic drug situation in Afghanistan, in which the Office indicated that methamphetamine use is becoming established practice among opiate users. Not only are methamphetamines increasingly being seized by law enforcement in Afghanistan, but there is also evidence of manufacturing facilities in the western part of the country.

50. The 13th meeting of the policy consultative group was held on 1 and 2 February 2017 in Vienna. The more than one hundred participants from 30 countries and 11 organizations discussed the four pillars of the Vienna Declaration, namely regional cooperation and initiatives, illicit financial flows, precursor chemicals and drug demand reduction. The 12th meeting of senior officials of the triangular initiative between Afghanistan, Pakistan and Iran (Islamic Republic of) was held on 3 February in Vienna to take stock of progress made and explore future cooperation in jointly addressing drug trafficking. The three countries renewed their commitment to make joint planning fully operational and intensify border controls, including developing mechanisms for border meetings among commanders of border provinces and the counter-narcotics police to exchange information and intelligence, and to hold regular meetings of the heads of counter-narcotics entities in the three countries.

VII. Mission support

51. Between 1 November 2016 and 31 January 2017, UNAMA conducted 195 road and 16 air missions, as well as 580 reverse outreach missions, during which district representatives visited UNAMA field offices.

VIII. Observations

52. Afghanistan continues to face a range of complex challenges. Worsening conflict has resulted in record levels of civilian casualties and internally displaced persons. The rising numbers of returning refugees and undocumented Afghans has put further strain on social and economic conditions. The Government also continues to face both internal and external political challenges. Addressing all of those challenges will continue to require the determined resolve of the Government. In that regard, a cohesive working relationship between the President and the Chief Executive will remain vital.

53. I welcome the continuing steps taken to further implement electoral reforms and move towards the preparations for parliamentary elections. The Government's commitment, at the highest level, to holding credible and transparent parliamentary elections is heartening. As important as electoral reforms are, so too is fostering public trust in the reforms, institutions and the democratic exercise.

54. The Government has made efforts to improve its fiscal management, including revenue collection. For the first time, infrastructure spending received more than half of development expenditure this year. In the longer term, a balance between infrastructure development and adequate investment in human capital is vital to promote social development and public confidence in the State. The country's large youth population represents both a challenge, in terms of the provision of employment, and an important opportunity for the country's future.

55. The Government has advanced its agenda to fight corruption, in particular through the operationalization of the Anti-Corruption Justice Centre. It will be important to build on this achievement in order to fully realize the Government's broader anti-corruption agenda and to promote public and donor confidence in its institutions.

56. The conflict has intensified yet again, with increasing numbers of armed clashes and complex attacks. The Afghan security forces, with the support of international forces, have demonstrated resilience in the light of intensifying combat operations. Continued international support for Afghan security forces, in

accordance with the commitments made during the summit of the North Atlantic Treaty Organization held in Warsaw in 2016, remains essential. Strong political leadership, effective measures to enhance command and control structures, operational capacity and morale are all critical to ensuring the sustainability of the Afghan security forces in the coming year and beyond, given the high, and increasing, casualty rate.

57. Civilians continue to pay a heavy price for the conflict. UNAMA recorded the highest number of civilian casualties in a single year, partly as a result of escalating ground engagements. The rising number of children killed and injured is unacceptable. I call upon all parties to the conflict to take urgent steps to halt the killing and maiming of civilians and stress the need for accountability for violations of international humanitarian law and human rights law. The full implementation of the national civilian casualty prevention and mitigation policy is of the utmost urgency. Attacks on health-care facilities, educational facilities, health-care workers and educators must cease.

58. Displacement reached its highest levels in 2016. More returns, including refugees and undocumented Afghans, are expected from Pakistan this year. Many of the newly internally displaced and returnee Afghans in Afghanistan remain vulnerable to secondary or repeated displacement, which has worrisome implications for those groups which are at risk of being trapped in prolonged poverty. I welcome the proposed changes in the policy of the Government of Afghanistan on displacement and returnees. Medium- and long-term programmes will be required to absorb and integrate the large number of returnees who have already arrived and will continue to arrive in order to ensure their successful economic and social integration. I commend the Government for its engagement and dedication in addressing the issue and urge international partners to support its efforts.

59. The worsening security situation and its impact on civilians have deepened the humanitarian crisis in Afghanistan. Given the extraordinary humanitarian needs, strong international support and adequate funding to the national humanitarian response plan for 2017 is needed.

60. The toll of the conflict on civilians also underscores the urgency for a political solution to the conflict. Peace remains the imperative. The implementation of the peace agreement between the Government and Hizb-i-Islami Gulbuddin is ongoing. Progress on the agreement is important to demonstrate the willingness of the Government and the people of Afghanistan to establish an equitable peace. Equally important for a peace process to take firm hold will be the demonstrated commitment of the Government to upholding its international obligations to ensure accountability for past abuses by all parties to the conflict and to ensure that the rights of victims remain central.

61. I regret that there has been no tangible progress towards direct talks between the Government and the Taliban. The role of regional countries remains vital in any process, given that they can make important contributions to creating an environment that would enable the pursuit of peace efforts. I call upon all countries involved to maintain their efforts. In that regard, the importance of a constructive relationship between Afghanistan and Pakistan is recognized by all. I encourage Member States to support efforts to establish direct talks between the Government and the Taliban.

62. Noting the continued importance of supporting political processes in Afghanistan and monitoring the security situation, I request the Security Council to extend the mandate of UNAMA, which is set to expire on 17 March 2017, for a further 12 months. In so doing, I reiterate the commitment of the United Nations to

a sustained partnership with Afghanistan, as set out in the final report of the Tripartite Review Commission on the United Nations in Afghanistan, submitted to the Security Council in September 2015. I note the effective manner in which the existing mandate was discharged throughout 2016, in particular the mission's good offices functions and engagement on critical human rights issues and donor coherence, as well as support for the strengthening of national institutions and capacities in priority areas, as requested by the Government. I call upon Member States to continue to provide the support required in order to maintain our engagement and activities throughout the country.

63. I thank all United Nations personnel in Afghanistan and my Special Representative, Tadamichi Yamamoto, for their continued dedication to fulfilling our commitments in support of the people of Afghanistan under very challenging conditions.

Annex*

Progress achieved against benchmarks

I. Security

Benchmark: sustainable Afghan security institutions and processes capable of ensuring peace and stability and protecting the people of Afghanistan.

Indicators of progress	*Metrics*
Increase in the number of national police and national army personnel mentored, trained and operational according to an agreed structure	• As of November 2016, there were 160,667 personnel serving in the Afghan National Army and 7,660 personnel serving in the Afghan Air Force, adding to a total of 168,327 personnel, a figure 26,673 below the end-state objective for 2016. As of November 2016, 887 female personnel were serving in both the Afghan National Army and in the Afghan Air Force. As of November 2016, there were 147,635 personnel serving in the Afghan National Police, 9,365 below the end-state objective. As of November 2016, 2,635 female personnel serve in the Afghan National Police. • According to reports it is estimated that the actual strength is likely as much as 20% lower for the Afghan National Defence and Security Forces than the figures given above, as a result of the so-called ghost soldiers/police officers. • In the course of 2016, the North Atlantic Treaty Organization (NATO) Resolute Support (RS) Mission has continued to train, advise, and assist the Afghan National Defence and Security Forces. • In 2016, the Ministry of Defense and the Ministry of Interior developed the *National Military Strategy* spanning a period of five years. It foresees an extensive reform of the Afghan National Defence and Security Forces. The *National Military Strategy* supports and fosters the Afghan National Strategic Planning System, which is comprised of the National Threat Assessment, National Security Policy, National Security Strategy, and the National Campaign Plan.

II. Peace, reintegration and reconciliation

Benchmark: national dialogue and regional engagement to pursue constructive and inclusive process to foster a political environment conducive to peace.

Indicators of progress	*Metrics*
Development and implementation of inclusive national and regional processes to enhance peace, reintegration and reconciliation efforts	• On 11 January 2016, the Quadrilateral Coordination Group (QCG) consisting of Afghanistan, China, Pakistan and the United States met for the first time to discuss the Afghan peace and reconciliation process in Islamabad. Parties confirmed mutual efforts to facilitate an Afghan-led and Afghan-owned peace and reconciliation process to achieve lasting peace and stability in Afghanistan and the region. Three further QCG meetings were held.

Note: The present annex is being circulated in English only.

* The present annex is being issued without formal editing.

Indicators of progress	*Metrics*
	• On 21 September 2016 in New York, on the margins of the 71st UN General Assembly, India, Afghanistan and the United Sates held a round of trilateral consultations at which they reaffirmed shared interests in advancing peace and security in the region, as well as countering terrorism.
	• On 22 September 2016, a peace agreement was signed between the Afghan Government and Hizb-e Islami Gulbuddin (HIG). On 6 November 2016, the Afghan government and the HIG Joint Executive Commission for the implementation of the peace agreement officially started its work.
	• On 20 November 2016, a HIG delegation met with President Ghani to discuss the release of HIG prisoners, refugee repatriation and land distribution. Two days later, a HIG delegation visited Pul-e-Charkhi prison in Kabul and met HIG prisoners. All issues regarding the implementation of the peace agreement continue to be addressed by the Joint Executive Commission.
	• There were four meetings convened by Pugwash in 2016 related to peace and security in Afghanistan; 23-24 January 2016 in Doha, Qatar on "Peace and Security in Afghanistan"; 5 September 2016 in Kabul, Afghanistan on "moving towards peace in Afghanistan"; 22 November 2016 in Islamabad, Pakistan on "Pakistan-Afghan relations" and; 13 December 2016 in Kabul, Afghanistan on "peace in Afghanistan".
Increased ability by Afghan authorities to gather and provide substantiated, updated and accurate information to the Security Council Committee established pursuant to resolution 1988 (2011)	• In 2016 the Government continued to provide substantiated, updated and accurate information to the Security Council Committee established pursuant to resolution 1988 (2011).
	• On 7 October 2016, the Analytical Support and Sanctions Monitoring Team submitted their Seventh report, pursuant to resolution 2160 (2014), concerning the Taliban and other associated individuals and entities constituting a threat to the peace, stability and security of Afghanistan. The report substantively built on information gathered and provided by the Afghan authorities.
	• On 13 December 2016, the Afghan Government submitted a request for the delisting of (QDi.088) Gulbuddin Hekmatyar from the United Nations ISIL (Da'esh) and Al-Qaida Sanctions List in order to support a signed peace agreement with the Hizb-i-Islami Gulbuddin. On 3 February Gulbuddin Hekmatyar was delisted.
Increased public support for the peace process through engagement at the community level and with civil society	• On 20 July 2016, independent Ulema from 15 districts of Baghlan province held a gathering in support of the role of religious figures in peace and reconciliation. Around 225 people participated in the gathering, including 150 ulema, as well as tribal representatives, Provincial Council members, Government officials, and civil society. At the conclusion of the gathering, a 10-point resolution was adopted declaring the ulema's full support for peace and reconciliation based on the Islamic principles. The event was supported by UNAMA.
	• On 9 August 2016, 40 youth activists, including 11 women, from Balkh, Sar-e-Pul, Jawzjan and Samangan provinces came together in Mazar-e-Sharif for a regional conference on peace and reconciliation. The conference adopted a declaration calling on the Government and the

Indicators of progress	*Metrics*
	international community to involve youth in the peace process. The event was supported by UNAMA. • In 2016, the Steering Committee of the Afghan People's Dialogue on Peace, supported by UNAMA, finalized the 34 provincial road maps for peace. Seventeen of these provincial road maps were approved by the Steering Committee during the year and will be used for peacebuilding advocacy and initiatives by Afghan civil society actors across the country. • Between September-December 2016, workshops were conducted by UNAMA working in tandem with the Afghan Independent Human Rights Commission (AIHRC) in all eight regions of the country aimed at building civil society capacity in peace and reconciliation processes through their strengthened advocacy for adoption of the recommendations contained in provincial road maps for peace. • In 2016, UNAMA field offices carried out half a dozen local peace initiatives, offering mediation support to foster Afghan-led facilitation, mediation and reconciliation efforts on a provincial and district level. These included consultation, gatherings and jirgas with ulema, tribal representatives, Provincial Council members, Provincial Peace Council members, Government officials, and youth and women rights activists. • On 26 October 2016, the annual Global Open Day event in Kabul on Security Council Resolution 1325 (2000) on women, peace and security under the theme "Women and Violent Extremism in Afghanistan", was organized by UNAMA and UN-Women alongside 12 similar regional events across the country.

III. Governance and institution-building:

Benchmark: extension of Government authority throughout the country through the establishment of democratic, legitimate, accountable institutions, down to the local level, with the capacity to implement policies and to be increasingly capable of sustaining themselves.

Indicators of progress	*Metrics*
Increased ability by Afghan authorities and independent electoral institutions to manage and conduct genuine and periodic elections, with due regard to women's participation and constitutionally guaranteed quotas	• In June 2016, the Ministry of Finance announced the Government's intention to allocate USD 31 million for the upcoming elections, of which USD 21 million is in-kind in the form of secondment of civil servants and teachers as polling staff. • On 25 September 2016, a new election legislation merging the Election Law and the Law on Structures, Duties and Authorities of the Independent Election Commission (IEC) and the Independent Electoral Complaints Commission (ECC) were published in the official Gazette. The new law was passed by legislative decree, and partially incorporated recommendations of the Special Electoral Reform Commission. The IEC was also tasked to prepare a technical study on Wolesi Jirga and Provincial Council constituencies within three months of its "establishment".

Indicators of progress	*Metrics*
	• In October 2016, at the Brussels Conference on Afghanistan, the Afghan Government committed, in connection with the Self-Reliance Through Mutual Accountability Framework deliverables, to move towards "credible, inclusive and transparent elections," based on the Government's pledge to "implement in 2017 the essential electoral reforms and prepare for elections to further restore trust and confidence in the electoral process and its institutions."
	• On 22 November 2016, President Ghani appointed 12 new commissioners to the IEC and the ECC, including three women. The commissioners were appointed through a selection process that was open to civil society and the international community, in consultation with political figures, and following interviews by President Ghani, Chief Executive Abdullah and other stakeholders.
	• On 12 December 2016, the IEC initiated the selection process of the Chief Electoral Officer. On 12 January the Independent Election Commission recommended three candidates to President Ghani, in a letter signed by only four of the seven commissioners. On 26 January, a spokesperson for the Chief Executive publicly stated that the three nominees were unacceptable due to their alleged lack of qualifications and ties with previous commissioners.
	• In December 2016, the IEC commenced initial discussions on voter registration options, and started preparation of packages to assess and reallocate polling centers.
	• In December 2016, President Ghani established a multi-agency technical committee on delimitation of electoral boundaries which included the IEC.
	• On 9 April 2016, President Ghani requested continuous UN electoral assistance for the next elections. In response, a Needs Assessment Mission (NAM) was deployed in country from 11 to 19 May 2016, which recommended key decisions to be made. Upon the adoption of new election legislation and the appointment to the IEC and ECC, a desk study updated the NAM in January 2017. From 10 to 27 February 2017, a team was deployed to start discussions to formulate a project to provide electoral support, with concrete areas of support to be confirmed. UNDP continues to provide technical assistance through a modest Project Initiation Plan as a bridge towards more comprehensive support based on a request.
Establishment of a Monitoring and Evaluation Committee and development of anti-corruption benchmarks	• In continuation of the Government's commitment to strengthen the oversight role of the Independent Joint anti-corruption Monitoring and Evaluation Committee (MEC), the Presidential Decree No. 115 declared MEC as an independent institution and obliged all government entities to regularly report on their implementation of MEC recommendations. MEC also issued its New Strategy (2016 to 2018) to actively work with Government institutions to implement anti-corruption reforms.
	• MEC published two special reports. The first one focuses on vulnerabilities to corruption in the Ministry of Public Health and the second report discusses the vulnerabilities to corruption in the context of fuel and gas supply and import to the country.

Indicators of progress	*Metrics*
	• MEC also released its Tenth Six-Month Report, covering the period of January to July 2016. The report discussed, among other things, progress in the payment of pensions and benefits to retirees by the Ministry of Labor, Social Affairs, Martyrs and Disabled; and the establishment of a Procurement Review and Appeal Committee in line with the Procurement Law.
	• As of December 2016, out of the total of 601 MEC recommendations since 2010, 201 were fully implemented, 196 partially implemented, 23 irrelevant and 181 pending implementation.
Empowerment of anti-corruption institutions to oversee a whole-of-Government approach to anti-corruption	• The Afghanistan Extractive Industries Transparency Initiative (AEITI) released its 4th Reconciliation Report in February 2016, covering Government revenues from the oil, gas and mining industries from 2012 to 2013 and is currently preparing its 5th report. AEITI is responsible for Afghanistan's compliance with the requirements for its membership in the Extractives Industries Initiative (EITI) a global standard to promote the open and accountable management of oil, gas, and mineral resources.
	• As part of the Government's increasing efforts to implement its anti-corruption agenda and Self-Reliance through Mutual Accountability Framework (SMAF) commitments, the anti-corruption plans of the five revenue-generating ministries (i.e. Ministry of Finance; Ministry of Mines and Petroleum; Ministry of Commerce and Industries; Ministry of Transport and Civil Aviation; and Ministry of Communication and Information Technology) have been formulated and submitted to the Cabinet in October 2016 for review.
	• In September 2016, the Secretariat of the High Council on Rule of Law and Anti-corruption started consultations with stakeholders on the drafting of the national anti-corruption strategy. Subsequently, the Office of the President took over consultations on the formulation of the national anti-corruption strategy. To advance the government's fight against corruption, UNAMA together with the international community has facilitated the stakeholders anti-corruption working group to include relevant government partners, particularly the High Council Secretariat as well as civil society, in following up on the government's anti-corruption commitments in the previous international conferences (i.e., Brussels and London anti-corruption conferences). UNAMA also facilitated donor anti-corruption working group meetings for a consolidated position of the international community and coherent support to the government in this area.
	• Self-Reliance through Mutual Accountability Framework (SMAF) deliverables called for a Memorandum of Understanding (MoU) between Government and Civil Society which was signed in late 2015. Though there were limited activities under the MoU in 2016, the existence of the MoU itself was an enabling factor in Afghanistan becoming a member of the Open Government Partnership (OGP) in December 2016. At the London Anti-Corruption Summit in May 2016, Afghanistan committed to increase access to information and support civil society participation. UNAMA has continued to liaise with the Administrative Office of the President on further steps of the government in implementing OGP commitments, particularly providing necessary support to enable civil society's participation In the process.

Indicators of progress	*Metrics*
	• Afghanistan improved its ranking in the Transparency International's Corruption Perceptions Index 2016, placing it in 169th position with a four-point increase in the score (from 11 to 15). The Government attributed this to its establishment of anti-corruption bodies.
	• In the course of 2016, the government and judicial institutions designed, established, developed and made operational the Anti-Corruption Justice Center (ACJC) with national jurisdiction, which has already adjudicated seven anti-corruption cases and is formally investigating dozens of high-level cases.
Annual publication of asset declarations of public officials	• In line with commitments in the Self-Reliance through Mutual Accountability Framework (SMAF), nine senior state officials, including the President and the Chief Executive Officer, 25 Cabinet ministers, and 26 provincial governors registered their assets with the High Office of Oversight and Anti-corruption (HOOAC). Asset verification and publication have not started yet.
	• On 4 May 2016, the High Office of Oversight and Anti-corruption (HOOAC) proposed strict sanctions on public officials who fail to register their assets. This proposal entailed dismissal of 15 Provincial Governors for failing to comply. However, the HOOAC's proposal has not been adopted nor implemented.
Increased capacity of civil servants at the central, provincial and district levels to discharge functions and deliver services	• In an effort to improve the quality of service delivery in the public service, the Civil Service Institute trained 2,572 civil servants in computers applications, English language, human resource management and admin/finance management. The number of staff trained represents 89 percent of the target number of 2,879. Out of the 2,572 trainees, 1,488 were from the central Government and 1,084 from the provincial administrations. Women represented 30 per cent of the participants.
	• In 2016, 106 staff from IDLG attended various capacity trainings in India. The trainings were organized by the Indian Government Civil Service Institutions, in line with the MoU signed between the Independent Directorate for Local Governance and the Indian Government.
Increased transparency and effectiveness of civil service appointments	• As part of the Government's efforts to ensure merit-based civil service recruitments all new appointments were appointed through a merit-based process led by the Independent Directorate of Local Governance (IDLG), bringing the total number of merit based appointments to; 53 (14%) out of 383 district governors, and 5 (15%) out of 34 deputy provincial governors. In addition, 20 (12%) out of 165 Municipal Mayors were appointed through a competitive process led by the President and the IDLG.
Strengthened civil service reform supported by a comprehensive approach to capacity-building and donor-funded technical assistance	• On 9 August 2016, the President appointed his Senior Advisor on Strategic and Public Relations as the new Chairman of the Independent Administrative Reform and Civil Service Commission (IARCSC). However, he was unable to assume this position, leaving the IARCSC without substantive leadership. To address this gap, the President appointed the deputy head of the Administrative Office of the President to manage IARCSC's operational functions.

Indicators of progress	*Metrics*
	• The revised civil service law, which was formulated in 2015, continues to undergo review, due to the protracted bureaucratic processes involved. These two developments have adversely impacted the implementation of civil service reforms and capacity building
Implementation of the subnational governance policy and development of subnational regulatory, financing and budgetary frameworks	• In line with commitments in the Self-Reliance through Mutual Accountability Framework (SMAF), in January 2016, the Independent Directorate of Local Governance (IDLG) launched consultations with national and subnational institutions and with civil society, with support of UNAMA, on the draft revised Subnational Governance Policy. Subsequently, comments from all 34 provincial administrations and selected government ministries, as well as civil society networks were received and incorporated. Later in the process, the donors provided consolidated comments to the draft policy. The draft policy is currently awaiting Cabinet review. The gap created by the delayed appointment of the IDLG leadership has impacted the Policy's approval and dialogue at the highest political level.
	• The guidelines for annual provincial planning were developed. Their function is to orientate provincial level authorities in the planning process.
	• Local Administration Law amended and submitted to the Lower House. The process was sponsored by IDLG, the Office of the President and technically led by the Ministry of Justice. This law, once enacted, will regulate the affairs related to subnational governance administrative units, including provincial departments, district offices and municipalities.
	• In 2016, the draft Municipal Law has been in an ongoing review process between the Office of the President, IDLG, the Ministry of Justice, Kabul Municipality and other stakeholders. A timeframe for the finalization of the draft law has not been identified, yet. In addition, the Municipal outreach framework and Municipal Advisory Board guidelines were developed and endorsed and the solid waste management guideline developed and implemented.
Development and publication of criteria for administrative boundaries	• National and international institutions continue to use the 2009 internal boundary data set, as stipulated by the Independent Directorate of Local Governance and the Geodesy and Cartography Head Office.
Establishment of adequate infrastructure for functioning Government institutions, especially at the subnational level	• Citizen's Service Centers were constructed in four provinces (Bamyan, Daikundi, Paktya and Panjshir).
	• 13 Provincial Governor's Offices (PGO) were equipped with internet infrastructure to improve IT management systems in the PGOs.
	• 11 Municipalities were provided with internet connections to enable communication with their constituents.
Establishment of credible and accessible judicial and penal systems that respect and uphold the human rights of all citizens	• The National Anti-Corruption Justice Center (ACJC) was established and operational from June 2016. The ACJC conducted six trials, so far, resulting in the conviction of 16 individuals, including individuals charged with bank embezzlement, land grabbing, bank employees, a senior prosecutor and a General at the Ministry of Interior. Trials were held open to the public and in a transparent manner for individuals on major corruption charges. Three of the six trials were affirmed on appeal before the ACJC. Upcoming cases include at least two Major Generals of the Ministry of Interior, the Deputy

Indicators of progress	Metrics
	Minister for Urban Development. Further dozens of cases are currently undergoing formal ACJC prosecutor investigations. • The Afghanistan Independent Bar Association recorded 2677 lawyers in Afghanistan, of which 712 are female. • On 18 April 2016, implementing a request of the Central Prison Directorate, UNAMA released a comprehensive review of prison health services in 31 of 34 Afghan provincial prisons to assess compliance with the Mandela UN international minimum standards of treatment. The report concludes that progress has been made in several key areas but substantial work remains to be done. Pursuant to a recent agreement with the Ministry of Public Health (MOPH), prisoners in nearly all Afghan provincial prisons have free access to basic health services either through MOI prison clinics or referrals to MOPH civil hospitals. UNAMA continues to work with national and international counterparts to implement the report's practical recommendations. • The newly revised Penal Code was drafted in line with commitments in the Self-Reliance through Mutual Accountability Framework (SMAF). The draft legislation, which is still to be considered by Parliament, incorporates crimes in over 50 special laws; and is now consistent with United Nations Convention against Corruption, The Convention against Torture and the United Nations Transnational Organized Crime Convention, as well as modern best practices. The new draft Penal Code defines crimes of violence against women; and incorporates crimes against humanity, war crimes and genocide according to the Rome Statute. • The Supreme Court and Attorney General Office advanced efforts combatting corruption in their own institutions. Both instituted strategies and action plans to counteract corruption under the guidance of the Second Vice President and the High Council of Rule of Law's Justice Committee. • On 23 October 2016, UNAMA released the first comprehensive assessment of formal and informal dispute resolution mechanisms, which aim to resolve high-stakes conflicts over access to irrigation water. The report's key finding is that while the recently enacted Water Law provides a comprehensive regulatory scheme, water users continue to rely predominately on local "water masters" to resolve disputes traditionally. The report was presented to the responsible Afghan ministries, who are now supported by UNAMA in the implementation of the recommendations made in the report. • On 4 December 2016, following the direct request of the Minister of Justice, UNAMA released a comprehensive assessment of Afghanistan's juvenile rehabilitation centers (JRC's) to measure compliance with UN international standards for the treatment of juveniles deprived of their liberty. The report found positive trends in Afghanistan's JRCs while also outlining a critical need to improve in-detention education and post-rehabilitation care for young Afghans to help them re-enter society. Continued international support is required for rehabilitation accommodation improvements, especially in JRCs that were not custom-built and fit for purpose. UNAMA is now supporting the Ministry on the implementation of the recommendations made in the report.

IV. Human rights

Benchmark: improved respect for human rights of Afghans, in line with the Afghan Constitution and international law, with particular emphasis on the protection of civilians, the situation of women and girls, freedom of expression and accountability based on the rule of law.

Indicators of progress	*Metrics*
Reduction in the number of incidents of unlawful use of force and intimidation of civilians, through compliance by relevant actors with international law	• Between 1 January and 31 December 2016, UNAMA documented 11,418 civilian casualties (3,498 dead and 7,920 injured). Although civilian deaths decreased by two per cent in 2016, civilian injuries increased by six per cent and the overall civilian casualties increased by three per cent compared to 2015. The number of incidents resulting in civilian casualties increased by 12 per cent in 2016. UNAMA attributed 61 per cent of all civilian casualties to Anti-Government Elements and 24 per cent to Pro-Government Forces (20 percent to Afghan national security forces, two per cent to international military forces and two per cent to pro-Government armed groups). Ten per cent of all civilian casualties resulted from cross-fire between Anti-Government Elements and Afghan national security forces thus could not be attributed to a specific party. Five per cent of civilian casualties resulted from unattributed explosive remnants of war. Ground engagements between Pro-Government Forces and Anti-Government Elements remained the leading cause of civilian casualties, accounting for 4,295 (1,070 deaths and 3,225 injured), followed by detonation of improvised explosive devices with 2,156 civilian casualties (700 deaths and 1,456 injured). • The conflict severely impacted Afghan children in 2016, with UNAMA recording 3,512 child casualties (923 dead and 2,589 injured), a 24 per cent increase over 2015 and the highest number of child casualties recorded by UNAMA in a single year since 2009. This disproportionate rise in child casualties across Afghanistan in 2016 resulted mainly from a 65 per cent increase in civilian casualties from explosive remnants of war — most of whom were children. • The Civilian Casualty Avoidance and Mitigation Board (CAMB) had been transferred from international military forces to the Afghan authorities on 26 January 2016 as advised by UNAMA. The board now functions as a focused mechanism for identifying areas for improving civilian casualty mitigation efforts. The CAMB drafted the national Civilian Casualty Prevention and Mitigation Policy that was approved at the deputy-ministerial level and further established a working group on 2 October 2016 to draft an action plan for its implementation. At its quarterly meeting on 15 November 2016, the CAMB focused discussion on devising plans by relevant ministries for implementation of the Civilian Casualty Prevention and Mitigation Policy once it has been endorsed by the National Security Council. • The Government established a senior-level Protection Working Group that held its first meeting on 30 June 2016 to facilitate a policy-driven dialogue on existing protection of civilian concerns and supporting implementation of improved practices to reduce civilian casualties. • In 2016, the Ministry of Defence drafted rules of engagement to prevent harm to civilians during operations against anti-government elements.

Indicators of progress	*Metrics*
	• In its annual report for 2016, the Taliban claimed to document 5,232 civilian casualties between January and December 2016, of which "Americans and the stooge administration" caused 71 per cent (3,836 civilian casualties — 1,504 dead and 2,332 injured); Daesh/Islamic State of Iraq and the Levant-Khorasan Province, unidentified gunmen and local infighting caused 17 per cent (1,127 civilian casualties — 380 dead and 747 injured); and Taliban caused 12 percent — namely 249 civilian casualties (120 dead and 149 injured. In 2016, the Taliban also established a "civilian casualty committee" under their military structure to investigate civilian casualty incidents in which their fighters were involved.
Improved awareness by Afghans of their rights and by the Government of its obligations	• Although the Government made little tangible progress in 2016 in meeting the commitments set out in its 2015 National Plan on the Elimination of Torture, the Government did renew its commitment to ratify the Optional Protocol on the Prevention of Torture with a new timeline of the end May 2017.
	• In May 2016, the National Assembly took action on Presidential Legislative Decree 76, issued in 2015. It rejected Article 10, a preventative detention measure that allowed the National Security Directorate to request the Supreme Court to intern or hold a person deemed likely to commit a national security crime for up to one year. The Assembly approved the remaining parts of the decree, thus retaining the amendments of the Criminal Procedure Code which allow for extended detentions by national security officials up to 10 days. The decree also gives prosecutors the discretion to extend that detention from 15 to 60 days. Thus, a judge's review and order is not required until 70 days have passed, in violation of both the Afghan constitution and the International Covenant on Civil and Political Rights, art. 9, to which Afghanistan is a party.
	• In its November 2016 "Report on Preliminary Examination Activities in Afghanistan", the Office of the Prosecutor of the International Criminal Court set out its determination that "there is a reasonable basis to believe that the war crimes of torture and related ill-treatment ha[d] been committed by Afghan government forces, in particular the intelligence agency (National Directorate for Security), and the Afghan National Police, since 2003." In assessing its jurisdiction over these cases under the complementarity principle, the Court noted the Government's failure to respond to multiple requests for information from the Prosecutor since 2008.
Improved impact of, and support for, legal and policy measures to combat violence against women and girls	• On 31 January 2016, the President inaugurated a dedicated fund to sponsor emergency services for women survivors of life-threatening acts of violence, such as medical treatment and temporary accommodation. Actual functioning of these services, however, has so far been limited by inadequate contributions to the fund.
	• On 11 June 2016, the Government approved the strategy and action plan on the elimination of violence against women for the period 2016-2020, which was publicly launched on 5 December 2016.

Indicators of progress	*Metrics*
	• With the aim of creating a protective, violence-free environment for women employed in the Afghan National Police, the Ministry of Interior on 11 July 2016 established a complaint mechanism to prevent and respond to sexual harassment against women police; however the mechanism has not yet become fully functional. UNAMA serves as one of four international organizations that have been requested to provide technical support to the complaint mechanism.
	• On 9 November 2016, the Wolesi Jirga approved a law on the elimination of harassment for women and girls. On 25 December 2016, the Meshrano Jirga reviewed the law and proposed amendments to the text to be agreed upon by a joint commission comprised of members of both houses.
	• Based on findings stemming from questionnaires with 178 government employees (113 women) and focus-group discussions carried out with 19 ministries and the Independent Directorate of Local Governance, on 25 October 2016, the Ministry of Women's Affairs launched the report "Workplace obstacles: Analysis and Recommendations" in which it highlighted the persistence of work-related harassment and determined other workplace obstacles hampering the presence and expansion of women workers in government institutions. The report provides a basis upon which efforts can be made to address them.
Improved awareness of, and support for, legal and policy measures related to combating impunity and furthering transitional justice	• In 2016, UNAMA closely monitored Government peace and reconciliation initiatives, such as the activities of the High Peace Council in adopting its five-year strategy and the peace agreement between the Government and Hezb-i-Islami (Gulbuddin). The Afghanistan Independent Human Rights Commission and transitional justice civil society groups have voiced concerns over the provisions on judicial immunity in the peace agreement and called for the rights of victims to be respected in the peace process.
	• In October 2016, a letter from the UN High Commissioner for Human Rights to the President in October 2016 expressed concerns about the peace agreement and reminded the Government of Afghanistan's international obligations not only to hold accountable persons responsible for grave violations of human rights and international humanitarian law violations, but also to respect the rights of victims and their families, without which peace and reconciliation are not sustainable.
Government fulfilment of reporting requirements on international human rights covenants and conventions and implementation of the recommendations from the Human Rights Council Universal Periodic Review of Afghanistan	• In April 2016, pursuant to its obligations Article 20 of the UN Convention against Torture and Other Cruel, Inhuman and Degrading Treatment, Afghanistan submitted its Second Periodic Report to the UN Committee against Torture. The Report was submitted under the simplified reporting procedure and consisted of a set of replies to queries raised in the "List of Issues" adopted by the Committee Session in 2010. Afghanistan's Second Periodic Review will be considered by the 60th Session of the UN Committee against Torture.

Indicators of progress	*Metrics*
	• Also in 2016, Afghanistan ratified Protocol V to the 1980 Convention on Certain Conventional Weapons on Explosive Remnants of War, which sets out obligations concerning the removal of unexploded ordnance from the battlefield. Ratification should be followed by the implementation of direct measures to ensure the marking, clearance and/or destruction of explosive remnants of war in affected territories under its control.
	• The Country Task Force on Monitoring and Reporting (created to implement the "Monitoring and Reporting Mechanism" on grave violations of children's rights in situations of armed conflict) noted significant progress from the Ministry of Interior with regard to expansion of Child Protection Units in Afghan National Police recruitment centres, with 16 additional Units inaugurated in 2016, bringing the overall total to 21 throughout the country.
	• On 28 July 2016, the President issued a directive for the establishment of a national committee to investigate and report on underage recruitment by Afghan security forces. While widely seen as a positive step, the initiative is based on self-reporting by the government.
	• The Ministries of Interior and Education and the National Directorate of Security issued directives during the year to strengthen the protection of children. On 18 June 2016, the Ministry of Interior issued a directive prohibiting media exposure of children arrested on national security charges. On 4 June and 4 July 2016, respectively, the Ministry of Education propagated two directives to all security-related ministries highlighting Afghanistan's commitment to the Safe Schools Declaration and calling on the security forces to stop using schools for military purposes. On 2 July 2016, the National Directorate for Security issued a directive instructing that children no longer be held in its detention facilities and the cessation of transfers of children to its maximum security prison. As of 15 December 2016, the National Directorate of Security had transferred 42 children to juvenile facilities throughout the country.
Increased capacity and commitment of the Government of Afghanistan and the Afghanistan Independent Human Rights Commission, as the Afghan national human rights institution, to respect, protect, fulfil and promote human rights	• In December 2016, the Afghanistan Independent Human Rights Commission held a national conference for the adoption of the National Action Plan for Protection of Human Rights Defenders in Afghanistan. This pivotal initiative promises to consolidate and strengthen efforts by civil society and international actors such as the EU and its partners to improve protection of human rights defenders in Afghanistan.
	• In response to allegations in the media of widespread abuse of children by Afghan police in the southern region of the country, in January 2016 the Attorney-General's office tasked the Afghanistan Independent Human Rights Commission offices in Kandahar, Uruzgan and Helmand provinces to present information to it and refer cases of sexually abused children. While widely seen as a positive step, the initiative is based on self-reporting by the government.
	• With regard to the practice of *bacha bazi* ("boy play"), the Afghan Independent Human Rights Commission led efforts during the year to prohibit and criminalize the practice, resulting in the production of final draft legislation in March 2016. In parallel, definitions and both

Indicators of progress	*Metrics*
	protective and punitive measures linked to the practice have been included in the language of the revised penal code, as well as the Child Act, which remained under review.

V. Economic and social development

Benchmark: Government policies supported by the international community that promote sustainable economic growth and contribute to overall stability.

Indicators of progress	*Metrics*
National priority programmes are designed and implemented with international support and endorsement	• In preparation for the 4-5 October Brussels Conference on Afghanistan the Government developed the new Afghanistan Peace and Development Framework (ANPDF), and which will serve as the overarching guidance for new National Priority Programs. The ANPDF replaces the Afghan National Development Strategy concluded in 2013. • Progress has been made on the preparation of five out of 11 NPPs. In October, the Government inaugurated the Citizens' Charter Afghanistan Project, the first phase of the 10-year Citizens' Charter NPP. In line with commitments in the Self-Reliance through Mutual Accountability Framework (SMAF), the Government presented the concept papers of four other NPPs to the Brussels Conference on Afghanistan in October 2016: Women's Economic Empowerment, Urban National Priority Program, National Infrastructure Plan, and the Comprehensive Agriculture Development Plan.
More equitable distribution of development assistance and Government expenditure throughout Afghanistan	• The implementation of the Provincial Budgeting Policy was piloted in four ministries: Ministry of Public Health, Ministry of Education, Ministry of Rural Rehabilitation and Development, and Ministry of Irrigation and Livestock. Relevant comprehensive guidelines for concerned Government agencies for effective implementation of the Policy were issued by the Ministry of Finance (MoF) on 22 March 2016. As a follow-up to the pilot and as part of the Provincial Budgeting Policy implementation, a total of US $34 million (US $1 million for each province) was allocated in the 2017 national budget for development projects. • The Wolesi Jirga (Lower House of the Afghan Parliament) rejected the 1396 Budget (2017) on 21 December 2016, citing imbalance in the allocation of funds among the provinces and low execution rate of the development budget. This resulted in a regular consultation between the Parliamentary Finance and Budget Committee and the Ministry of Finance that resulted in some amendment to the draft budget. The budget was eventually approved by Parliament on 16 January 2017.

Indicators of progress	*Metrics*
Increased revenue collection and sustainable growth based on Afghan resources	• The Government's ongoing initiatives, including anti-corruption efforts, contributed to higher than expected revenue collection in 2016. The revenues were reported at USD 2,4 billion compared to IMF projected revenues of USD 2,04 billion. The achieved revenue collection represents therefore a 20 per cent increase amidst low economic growth, currency devaluation, worsening security, and deteriorating trade relations. Most of the in revenue collection is attributable to effective collection of non-tax revenues and arrears, as well as revenues from ministries (Ministry of Urban Development Affairs and Ministry of Agriculture Irrigation and Livestock) and Da Afghanistan Bank. However, tax collection decreased for large and small tax payers by 8 per cent and 5 per cent respectively, while for medium tax payers tax collection increased by 16 per cent according to the preliminary report of the Ministry of Finance. • The World Bank's Doing Business Indicators have recorded Afghanistan's drop in ranking on the ease of paying taxes, where Afghanistan's rank dropped 13 places. Afghanistan's rank dropped one place, now ranking 183 of the 190 countries on the index. There was a major reform of the taxation system in 2016, which saw a doubling of the base business tax from two to four per cent, while a number of indirect taxes were also implemented. According to business owners, these new tax reforms are making it more difficult for them to keep their businesses profitable. • In addition to a decline in Afghanistan's rank on the ease of paying taxes, the World Bank's Doing Business Indicators survey recorded a deterioration in Afghanistan's rank on six of the remaining indicators used to assess the business and growth enabling environment in the country. The most significant declines were measured in the areas of starting new businesses, access to credit and amenities such as electricity. Afghanistan's overall ranking in the Doing Business Indicators survey, comprising a composite of all ten indicators, dropped by one place. • The World Bank estimated the GDP growth for 2016 in Afghanistan at 1.2 per cent, but projected a better growth rate for 2017 at 1.8 per cent. However, with population growth rates between 2 per cent and 3 per cent, this rate of economic growth would seem insufficient to maintain income levels, suggesting that poverty levels will increase. • On 13 December 2016, the Objections Review Directorate in the Ministry of Finance Afghanistan Revenue Department in the Ministry of Finance presented a report of a Taxation Working Group to donors. The aim of the report, which was developed in line with a commitment in the Self-Reliance through Mutual Accountability Framework (SMAF), was to identify challenges in tax collection that arise from the various exemptions provided to donor-funded initiatives, and to establish a mechanism for resolving questions. Consultations on the report will proceed in 2017, in line with SMAF commitments.

VI. Regional cooperation

Benchmark: sustained and effective regional coordination in support of prosperity, peace and stability.

Indicators of progress	*Metrics*
Improved coordination of regional bodies and increased regional investments	• On 8 April 2016, in the 24th Leading Committee in Ashgabad, stakeholders signed the Investment Agreement on the TAPI Pipeline. On 23 April, in Almaty, Afghanistan, Tajikistan, Kyrgyzstan, and Pakistan finalized the project implementation documents and made the final decision for putting the CASA 1000 in action. • On 25 April 2016, the Afghan Foreign Minister met with the Foreign Minister of Turkmenistan to discuss developments regarding the TAPI project, expanding bilateral trade and the need for peace, stability and security in the region. • On 12 May 2016, in Tursunza de Tajikistan, Afghanistan's Chief Executive, Pakistan's Prime Minister, Tajikistan's President, and Kyrgyzstan's Prime Minister jointly inaugurated the CASA-1000 project. • On 16 May 2016, during the state visit of the Chief Executive to China, seven bilateral Cooperation Agreements were signed between both countries. • On 23 May 2016, in Tehran, President Ghani, the President of the Islamic Republic of Iran and the Indian Prime Minister witnessed the signing of the Agreement on the Establishment of a Trilateral Transport and Transit Corridor. Its aim is to facilitate the flow of commerce between the three countries, potentially extending into Central Asia. • On 4 June 2016, in Herat Province, the Afghan President and the Indian Prime Minister inaugurated the $290 million Salma Dam hydroelectric power project. • From 23 to 24 June 2016, in Tashkent, the Afghan President attended the 16th Shanghai Cooperation Organization (SCO). He had bilateral meetings with the Russian President, the Uzbek President, the Kazakh President, and the Kyrgyz President. • On 19 July 2016, in Pakistan, representatives from Afghanistan, Pakistan and UNHCR met for the 27th Tripartite Commission Meeting. They signed the extension of the existing Tripartite Agreement governing voluntary repatriation until 31 December 2016. • On 3 August 2016, in Urumqi China, the Inaugural High Level Military Leader Meeting on Quadrilateral Cooperation and Coordination Mechanism in Counter Terrorism took place and was attended by representatives of the Armed Forces of Afghanistan, China, Pakistan and Tajikistan. It was agreed to establish the "quadrilateral mechanism" to coordinate and support each other, including in the areas of intelligence sharing, anti-terrorist capability-building, and joint anti-terrorist training.

Indicators of progress	*Metrics*
	• On 5 August 2016, in Tehran, the Afghan Deputy Foreign Minister attended the third political consultation meeting between Afghanistan and Iran. Both sides emphasized strengthening, consolidating and extending formal relations between the two countries and exchanged views on mutual cooperation in security and regional affairs, transit trade, economy, cultural relations, consulate and refugee affairs and extending interministerial relations and cooperation.
	• On 7 September 2016, senior officials of Afghanistan and Iran attended a cross-border ceremony in Shamtigh in Iran to mark the completion of the Iranian part of the planned Khaf-Herat railway.
	• From 14 to 15 September 2016, the Afghan President visited India and met with the Indian Prime Minister. The two leaders discussed the regional situation and expressed grave concern at continued use of terrorism and violence in the region.
	• On 4 October 2016, in Brussels, President Ghani, Chief Executive Abdullah and Foreign Minister Rabbani participated in a side event to the Brussels conference on Afghanistan focused on Regional Economic Cooperation in Afghanistan. The high-level event focused on movement of energy, goods and data. It further identified 11 priority projects.
	• From 18 to 19 October 2016, in Tashkent Uzbekistan, the Afghan Foreign Minister attended the 43rd session of the Council of Foreign Ministers of the Organization of Islamic Cooperation (OIC). In the margins, an extradition agreement with Uzbekistan was signed.
	• From 3 to 4 November 2016, the Chief Executive attended the 15th Shanghai Cooperation Organization Head of Governments Summit in Bishkek. Afghanistan's Permanent membership in the organization was discussed.
	• On 16 November 2016, in Baku, the Lapis Lazuli route agreement was finalized by Afghanistan, Turkmenistan, Azerbaijan, Georgia and Turkey. It needs to be signed by heads of states.
	• In 2016, there were four meetings of the 6+1 group, which includes Afghanistan, China, India, Iran, Pakistan, Russia and USA. The meetings were held on 4 February in Berlin, on 6 June in Istanbul, on 22 September in New York and the last one on 2 December in Amritsar, India.
	• In 2016, the Heart of Asia-Istanbul Process — supported by UNAMA through facilitation and the provision of good offices — held several meetings between participating countries and organizations to further confidence-building measures. On 4 March, in Delhi, a meeting of the Regional Technical Group of Trade, Commerce and Investment Opportunities Confidence Building Measure was held. On 10 March, in Tehran, a meeting

Indicators of progress	*Metrics*
	of the Regional Technical Group of the Education Confidence Building Measure was held. On 3 April, in Kabul, a meeting of the Regional Technical Group of the Counter-Terrorism Confidence Building Measure was held where seven activities were prioritized for 2016. On 6 September, in Ashgabat, a meeting of the Regional Technical Group of the Regional Infrastructure Confidence Building Measure was held. On 9 December, in Astana, a meeting of the Regional Technical Group of the Disaster Management Confidence Building Measure was held to review the implementation of activities in the 2016 Action plan. • In 2016, the Heart of Asia-Istanbul Process, which was co-chaired by Afghanistan and India, held three Senior Officials' Meetings. On 26 April, in Delhi, a Senior Officials Meeting was held setting the theme "Addressing Challenges, Achieving Prosperity" for the 2016 Heart of Asia-Istanbul Process. On 23 September, a Senior Officials' meeting was held on the margins of the General Assembly in New York. On 3 December, the last Senior Officials' meeting of 2016 was held in Amritsar. UNAMA supported the Afghan Government in these meetings to help the process move forward. • On 4 December 2016, in Amritsar, the Heart of Asia-Istanbul Process Ministerial Conference was held with support of UNAMA. President Ghani and Prime Minister Modi inaugurated the conference. The Amritsar declaration focuses on the importance of regional collaboration in countering security threats common to the region, and to capitalize on economic opportunities. The declaration also calls for the development of a regional approach to counter radicalization, exploration of how to strengthen the growth of Small and Medium Enterprises in the region, as well as to continue the process of developing the Regional Counter Terrorism Strategy as per the 2015 Islamabad Declaration. • On 27 December 2016, a trilateral meeting of Pakistan, China and Russia took place in Moscow with a focus on Afghanistan. In addition to expressing concern about the rise of extremist groups and agreeing on continued efforts towards an Afghan-owned and Afghan-led peace process, both Russia and China stated that they will increase efforts for delisting members of the Afghan Taliban from the UN sanctions lists.

VII. Partnership between the Government of Afghanistan and the international community

Benchmark: coherent support by the international community for Afghan priorities within an Afghan-led coordination framework.

Indicators of progress	*Metrics*
Increased percentage of aid aligned with the Afghanistan National Development Strategy and Government priorities	• In line with its current Aid Management Policy, the Government considers assistance delivered through on-budget mechanisms to be 100 per cent aligned with Government priorities, and in 2016 donors continued to retain the Self-Reliance through Mutual Accountability Framework (SMAF) commitment to deliver at least 50 per cent of Official Development Assistance (ODA) through such mechanisms. Donors also continued to adhere to the SMAF commitment to align 80 per cent of ODA overall with Government priorities. The Ministry of Finance Aid Management Directorate continues to collect data on, and to discuss alignment of, Official Development Assistance through the annual Development Cooperation Dialogues process, but did not publish data on overall alignment of aid in 2016, as new National Priority Programs are still being developed under the framework of the Afghanistan National Peace and Development Framework (ANPDF).
Improved accountability of procurement and contracting on behalf of the Government and the international community	• The National Procurement Authority (NPA) expanded the "Coalition of Reform", mainly consisting of partners from civil society, private sector, the Government and international development partners. Under this framework, the NPA approved more than 2,000 large and medium contracts worth AFN 250 billion (US$ 3 billion), resulting in AFN 18.3 billion (US$ 270 million) worth of savings. It also blacklisted about 100 companies who failed to meet the requirements of transparency and accountability.
Strengthening of the Joint Coordination Monitoring Board in support of the Kabul process and as a means of regular review of progress on Afghan priorities and mutual commitments	• Co-chaired by the Minister of Finance and UNAMA's SRSG, the Joint Coordination and Monitoring Board met twice in Kabul, on 4 April and 4 September, to review and advance Government preparations for the Brussels Conference on Afghanistan, and to review progress on joint commitments under the Self-Reliance through Mutual Accountability Framework (SMAF). The meetings featured remarks by President Ghani, Chief Executive Abdullah, and updates from a number of ministers and senior Government officials, as well as stakeholders from the Afghan private and civil society sectors. Civil society representatives voiced concern over the quality and pace of reforms, perceived corruption within the justice sector and the shrinking space for civil society and human rights defenders due to insecurity. International partners addressed the gathering on a range of subjects featuring both highlights of reform, development progress and areas for improvement. • Much of UNAMA's efforts in the area of donor coordination in 2016 focused on facilitating the preparations for the Brussels Conference on Afghanistan in October. In addition to the Joint

Indicators of progress	*Metrics*
	coordination and Monitoring Board meetings, regular discussions took place in existing fora chaired by the Ministry of Finance and UNAMA and involving the major donors. The issues discussed included efforts in the areas of anti-corruption, revenue generation, poverty and economic growth. In advance of the Brussels Conference on Afghanistan, UNAMA worked with Government and donors to elaborate a new set of "deliverables," or priority reform commitments, under the Self-Reliance through Mutual Accountability Framework (SMAF). In follow-up to the Brussels Conference on Afghanistan, UNAMA continues to work with partners to facilitate progress on these commitments through regular working-level fora in Kabul. • UNAMA also technically assisted Afghan civil society in the preparation of their position papers and statements for the JCMB meetings held in April and September 2016 and the Brussels Conference in October, and advocated for civil society representation in all these three meetings. • UNAMA further provided technical advice to the Civil Society Working Committee (CSWC) in the selection of the 10 delegates to the Brussels Conference on Afghanistan; facilitated briefing/ consultations between SRSG/DSRSG with 10 civil society delegates to the Conference; as well as consultations between civil society and Ministry of Finance; provided technical assistance to CSWC in following up in the aftermath of the Conference, especially where this Committee undertakes the steps to start with monitoring the implementation of Government and International Community's Brussels commitments.

VIII. Counter-narcotics

Benchmark: sustained trend in the reduction of poppy cultivation, narcotics production and drug addiction.

Indicators of progress	*Metrics*
Decrease in poppy cultivation, narcotics production and addiction rates	• Opium poppy cultivation in Afghanistan increased by ten per cent in 2016 with a total area under cultivation estimated at 201,000 hectares over the area of 183,000 hectares cultivated in 2015. Opium production in 2016 was estimated at 4,800 tons, representing a 43 per cent increase over the 3,300 tons produced in 2015. • In 2016 opium prices increased in all regions of Afghanistan. At almost US$ 0.9 billion or the equivalent of roughly 5 per cent of Afghanistan's estimated GDP, the farm-gate value of opium production increased by 57 per cent in 2016 with respect to past year (not adjusted for inflation). • Helmand remained the country's major opium poppy cultivating province, followed by Badghis, Kandahar, Uruzgan1, Nangarhar, Farah, Badakhshan, and Nimroz. In 2016, the

Indicators of progress	*Metrics*
	number of poppy-free provinces in Afghanistan decreased from 14 to 13. Opium poppy cultivation in Jawzjan, in the Northern region lost its poppy-free status, which it had regained in 2008. The average opium yield amounted to 23.8 kilograms per hectare, which was 30 per cent higher than in 2015.
Increase in effective interdiction and counter-trafficking efforts	• In 2016, Afghan law enforcement authorities conducted a total of 2,192 counter-narcotics operations which resulted in seizures of 4,759 kg of heroin, 47,048 kg of morphine, 48,022 kg of opium, 66 kg of methamphetamine, 686 MDMA tables, 352,171 kg of hashish, 72,231 kg of solid precursor chemicals, 15,034 Litres of liquid precursor chemicals. In addition to drugs, these operations led to the dismantling of 57 heroin and eight methamphetamine manufacturing laboratories, arrest of 2,548 suspects and seizure of 485 vehic'es, 212 weapons, 347 mobile phones and seven radios.
Increase in licit agriculture and related private capital investment in areas previously used for poppy cultivation	• In spite of the 10 per cent increase in poppy cultivation and 43 per cent production in 2016, there was a positive progress noted in licit crop production and productivity. According to the Ministry of Commerce and Industries, trade figures increased by 20 per cent of which most were the export of not only dry fruits but vegetables and fresh fruits such as pomegranates, grapes and apples. These fruits were exported to Pakistan, United Arab Emirates and India. • A survey of the Afghan Chamber of Commerce and industries (ACCI) indicates that the grape production increased by at least 20 per cent in Parwan, Samangan, Sar-e-Pol, Jawzjan, Herat and Kandahar provinces in 2016. In Parwan, the production of grapes was doubled while in Samangan the production increased from 7,000 tons in 2015 to 9,000 tons in 2016. Kandahar grapes were valued at US$ 2.3 million and were mostly exported to Pakistan, India and UAE. • A report by Ministry of Agriculture, Irrigation and Livestock (MAIL) indicated a nine and a half pe. cent increase in cultivation and production of wheat in Afghanistan. The report identified the harvest of four and a half million tons of wheat of which more than three and a half million tons were produced from irrigated land and around 850,000 tons from rain fed fields. The report also highlights the improved techniques used for the production of vegetables in Afghanistan but the lack of capacity and quality outputs remains a constraint in marketing the productions in the region and beyond.

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Security Council

Distr.: General
6 March 2017

Original: English

Letter dated 6 March 2017 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council

I have the honour of bringing the attention of the Security Council to the launches of four ballistic missiles by the Democratic People's Republic of Korea on 6 March 2017 (local time) and enclosing herewith the statement of the Ministry of Foreign Affairs of the Republic of Korea on the launches (see annex). I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(*Signed*) **Cho** Tae-yul
Permanent Representative

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Annex to the letter dated 6 March 2017 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council

Statement by the Ministry of Foreign Affairs on the ballistic missile launch by the Democratic People's Republic of Korea on 6 March 2017

1. Today's ballistic missile launch by the Democratic People's Republic of Korea is another provocation, conducted only 22 days after the ballistic missile launch on 12 February which came after its launches of 24 ballistic missiles last year, constituting a flagrant and clear violation of the relevant Security Council resolutions and a grave threat to peace and security on the Korean peninsula and to the international community as a whole. The Government of the Republic of Korea condemns the provocation by the Democratic People's Republic of Korea in the strongest terms.

2. The provocation was conducted in the midst of the international community's shock and anger at the inhumane murder by the Democratic People's Republic of Korea of Kim Jong-nam with VX nerve agent, a chemical weapon. This clearly demonstrates the regime's recklessness in that it will continue to develop nuclear weapons and ballistic missiles in defiance of the concerted warnings from the international community. The Democratic People's Republic of Korea must realize that its repeated provocations and fanatical obsession with nuclear and ballistic missile development will only accelerate its path to isolation and self-destruction.

3. The Government of the Republic of Korea will make the Democratic People's Republic of Korea pay an unbearable price by urging all countries to faithfully implement sanctions against the Democratic People's Republic of Korea, including Security Council resolutions 2270 (2016) and 2321 (2016), along with friendly countries' strong unilateral sanctions. In addition, the Government of the Republic of Korea will unwaveringly protect the lives of its people and the security of the nation, while deterring the nuclear and missile threats of the Democratic People's Republic of Korea, based on the strong Republic of Korea-United States combined defence posture by accelerating measures to further strengthen extended deterrence capabilities.

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Report of the Secretary-General on children and armed conflict in the Sudan

Summary

The present report, submitted pursuant to Security Council resolution 1612 (2005) and subsequent resolutions on children and armed conflict, is the fifth report of the Secretary-General on children and armed conflict in the Sudan to be submitted to the Security Council and its Working Group on Children and Armed Conflict and the first such report since the secession of South Sudan in July 2011. Covering the period from 1 March 2011 to 31 December 2016, the report is focused on the trends and patterns of the six categories of grave violations committed against children and contains information on the perpetrators and the context in which such violations took place. The progress made by all parties to the conflict in terms of dialogue, action plans and other child protection commitments is also reviewed.

The report contains a series of recommendations aimed at ending and preventing grave violations against children and strengthening child protection in the Sudan.

17-03645 (E) 150317

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I. Introduction

1. The present report, submitted pursuant to Security Council resolution 1612 (2005) and subsequent resolutions, covers the period from 1 March 2011 to 31 December 2016. It is the fifth report on children and armed conflict in the Sudan to be submitted to the Security Council and its Working Group on Children and Armed Conflict and the first such report since the secession of South Sudan on 9 July 2011. The report is focused on grave violations perpetrated against children and the progress made in ending such violations, in follow-up to the recommendations contained in the previous report (S/2011/413) and to the conclusions of the Working Group (S/AC.51/2012/1). In the annexes to my annual report on children and armed conflict (S/2016/360), government security forces, pro-government militias, the Justice and Equality Movement (JEM), the Sudan Liberation Army/Minni Minawi (SLA/MM), the Sudan Liberation Army/Abdul Wahid (SLA/AW) and the Sudan People's Liberation Movement-North (SPLM-N) were listed as parties that recruit or use children. Armed groups that were no longer active had been removed from the annexes. The SLA/Free Will, JEM/Peace Wing and SLA-Peace Wing were removed in 2013 and the SLA-Historical Leadership, SLA-Mother Wing (Abu Gasim) and SLA-Unity were removed in 2014.

2. During the reporting period, the United Nations country task force on monitoring and reporting continued to document grave violations against children perpetrated by all parties to the conflict, including government security forces, namely, the Sudan Armed Forces, the police, the Central Reserve Police, the Popular Defence Forces, the Border Guards, the Rapid Support Forces and government-affiliated militias. At the beginning of the reporting period, the majority of the documented violations were attributed to the Central Reserve Police and the Popular Defence Forces. From 2014 onwards, the Sudan Armed Forces and the Rapid Support Forces became the perpetrators with the most documented violations. Violations by the armed groups that remained active, namely, JEM, SLA/AW, SLA/MM and SPLM-N, were also documented. It should be noted that, from the second half of 2015, JEM and SLA/MM were no longer militarily active in Darfur.

3. During the reporting period, the country task force faced significant constraints in effectively monitoring and reporting grave violations against children owing to the lack of access to conflict-affected areas due to insecurity, ongoing hostilities and restrictions imposed by the Government and some of the armed groups.

II. Political and security developments

4. The period under review was marked by several significant developments, including the eruption of armed conflict in Southern Kordofan and Blue Nile States, during which a new armed group, SPLM-N, emerged, the failure to resolve the status of the Abyei Area, which fuelled tensions, the creation of the Rapid Support Forces in 2013 and the launch by the Government in 2014 of Operation Decisive Summer, the aim of which was to eliminate all armed opposition groups in the Sudan. These developments affected children and resulted in grave violations against them. According to the Office for the Coordination of Humanitarian Affairs, as at December 2016, there were up to 3.2 million internally displaced persons in the Sudan, including 2.6 million in Darfur. Children made up 60 per cent of the internally displaced persons in Darfur.

5. Despite attempts to resolve outstanding issues from the Comprehensive Peace Agreement of 2005 by the time of the secession of South Sudan, several matters

remained unresolved, including border demarcation and the final status of the Abyei Area. Tensions between the Sudan and South Sudan were high in 2011 following the secession of South Sudan.

6. In that period, clashes between the Sudan Armed Forces and the Sudan People's Liberation Army (SPLA) took place across a new and ill-defined border. Cross-border military activities were frequently reported, with the two countries accusing each other of harbouring the other's armed opposition groups. In August 2013, they agreed to stop supporting armed groups operating on the other's territory. However, cross-border activities continued, and grave violations against children were committed by both Sudanese and South Sudanese parties to the conflict.

7. In June 2011, SPLM-N, initially an opposition party created by the northern cadres of the South Sudan-based Sudan People's Liberation Movement (SPLM), was banned by the Government and re-emerged as an armed group active in the Nuba mountains and southern Blue Nile State. In November 2011, SPLM-N and Darfur-based armed groups (JEM, SLA/AW and SLA/MM) formed an alliance, known as the Sudanese Revolutionary Front (SRF), with the aim of consolidating their power against the Government of the Sudan.

8. In August 2013, in preparation for the launch of Operation Decisive Summer, the Government created an auxiliary force, the Rapid Support Forces, the members of which were mostly recruited from the Rizeigat tribe, many of whom formerly belonged to the Border Guards and, to a lesser extent, the Central Reserve Police. The Rapid Support Forces took an increasing role in operations against armed groups and reportedly committed gross violations of international human rights and humanitarian law.[1] In January 2015, the Rapid Support Forces, which had been operating under the command of the National Intelligence Security Services, became part of the regular government forces through a constitutional amendment. In April 2015, the Rapid Support Forces were placed under the command of the Presidency. In January 2017, the Parliament passed the Rapid Support Forces Act, integrating those forces into the Sudan Armed Forces.

9. Operation Decisive Summer, which was launched at the end of 2013, marked a turning point in the period under review. The Sudan Armed Forces, supported by the Rapid Support Forces, launched a series of air and ground offensives, which intensified armed confrontations between government forces and armed groups. The Operation resulted in increased numbers of civilian casualties and population displacement, and coincided with an increase in grave violations against children. By 2016, government forces had retaken control of a number of areas formerly held by armed groups, particularly in Darfur.

Southern Kordofan and Blue Nile States and the Abyei Area

10. In June and September 2011, armed conflict erupted in South Kordofan and Blue Nile States (also referred to as the "Two Areas"), fuelled by unresolved issues relating to the Comprehensive Peace Agreement and the contentious elections for the governorship of Southern Kordofan State. Large areas of the Two Areas remained inaccessible to the United Nations, especially those controlled by SPLM-N. Several rounds of negotiations between SPLM-N and the Government were held throughout the reporting period, but did not yield any concrete results. Periods of political deadlock coincided with an intensification of the conflict on the ground. At the time of writing in December 2016, talks had been suspended.

[1] See United Nations High Commissioner for Human Rights, *Report on Impunity and Accountability in Darfur for 2014*.

11. During Operation Decisive Summer, the Sudan Armed Forces and the Rapid Support Forces launched air and ground offensives against areas controlled by SPLM-N, which resulted in civilian casualties, including children, displacement and the destruction of key infrastructure, such as schools, hospitals and marketplaces.

12. Coinciding with the second phase of the Operation, armed confrontations continued to escalate in the first half of 2015. In April of that year, SPLM-N launched offensives in Southern Kordofan and Blue Nile States, including the shelling of Kadugli, the capital of Southern Kordofan State, and attacks on government forces. On 20 August 2015, a unilateral two-month ceasefire was announced by the President of the Sudan who expressed readiness for a permanent cessation of hostilities. In October 2015, SRF declared a six-month ceasefire ahead of the new round of peace talks, resulting in a temporary lull in armed confrontations, which resumed in early 2016 after the collapse of the talks in November 2015. As at December 2016, unilateral ceasefires had been announced again by the two parties.

13. According to the Office for the Coordination of Humanitarian Affairs,[2] 230,000 people were internally displaced in areas controlled by the Government in Southern Kordofan and Blue Nile States as a result of the conflict. In addition, as at November 2016, 240,604 refugees from the two States were in South Sudan.[3] For those who remained in the conflict-affected areas, an estimated 160,000 children under 5 years of age did not receive routine immunizations and other health care, leaving them at risk of preventable diseases.

14. In the Abyei Area, following clashes between the Sudan Armed Forces and SPLA in May 2011, an agreement was reached between the Government of the Sudan and SPLM on temporary arrangements for the administration and security of the Abyei Area. In October 2013, the Ngok Dinka tribe organized its own referendum and voted overwhelmingly for the Abyei Area to be part of South Sudan. The outcome of the referendum was not recognized by the international community or the Governments of the Sudan and South Sudan. Meanwhile, the political impasse fuelled tensions on the ground.

Darfur

15. Despite the signing of the Doha Document for Peace in Darfur in July 2011, further efforts to secure an inclusive peace agreement for Darfur yielded limited results. The security situation deteriorated, and clashes between government forces and armed groups intensified during Operation Decisive Summer, resulting in a spike in grave violations against children. Children were also affected by an increase in intercommunal violence over land and natural resources.

16. A number of armed groups active in 2011 signed the Doha Document. However, JEM, SLA/AW and SLM/MM, which did not, remained militarily active during most of the reporting period. A political stalemate persisted between the Government and the three armed groups. Meanwhile, the security situation remained tense in Darfur with clashes between parties to the conflict and aerial bombardment by the Sudan Armed Forces.

17. The conflict escalated in 2014, coinciding with Operation Decisive Summer and the deployment of the Rapid Support Forces to Darfur, where they conducted a

[2] See Office for the Coordination of Humanitarian Affairs, *2016 Humanitarian Needs Overview: the Sudan*.

[3] See Office of the United Nations High Commissioner for Refugees, South Sudan — refugee population infographics, November 2016. Available from http://data.unhcr.org/SouthSudan/regional.php.

series of offensives against armed groups in South and North Darfur States. Attacks on civilians, the burning of villages, looting and large-scale human rights violations, including against children, were reported during that period. The first phase of the Operation left the armed groups weakened, and, by the end of 2014, the Sudan Armed Forces, supported by the Rapid Support Forces and tribal militias, controlled large portions of territory across Darfur. In the same period, JEM moved to South Sudan where it engaged in the conflict alongside SPLA. The Justice and Equality Movement reportedly suffered heavy losses at the Nikhara battle in South Darfur State in April 2015, leading the Government to announce that it had defeated the group. In May, SLA/MM also suffered heavy losses in North Darfur State. As at December 2016, JEM had completely withdrawn to South Sudan. In the second half of 2015 and in 2016, the Government focused its military efforts on dislodging SLA/AW from Jebel Marra, which caused significant new displacement.

III. Grave violations committed against children

18. With the strengthening of the legal framework and the action taken by the Government, as well as the engagement of the United Nations, significant progress has been made in improving the protection of children in the Sudan, including a decrease in the recruitment and use of children. However, the ongoing conflict in Darfur and the Two Areas continued to affect children. For example, the high numbers of documented incidents of the killing and maiming of children and sexual violence in Darfur was a grave concern.

19. Throughout the reporting period, the country task force received allegations of grave violations committed by all parties to the conflict that could not be verified owing to restrictions of movement, the lack of access to conflict-affected areas and the mobility of some of the armed groups. Data presented in the present report do not therefore represent the full impact of the conflict on children.

A. Recruitment and use of children in armed forces and groups

Southern Kordofan and Blue Nile States and the Abyei Area

20. During the reporting period, the country task force verified 230 cases of the recruitment and use of children (all boys), approximately 17 per cent of which were attributed to government forces (39 cases) and 76 per cent to armed groups (104 cases to SPLM-N, 70 to SPLA and 17 to unidentified armed elements). Over two thirds of the total figure for the recruitment and use of children was documented in the early stages of the conflict in Southern Kordofan and Blue Nile States, namely, until the end of 2013. From 2014, a decreasing trend was observed. Cross-border recruitment and use of children by SPLM-N in South Sudan and, allegedly, by SPLM/Army in Opposition (SPLM/A-IO) in the Sudan, was also documented. Information was received about the recruitment and use of children by JEM in Southern Kordofan State (see para. 27).

21. The recruitment and use of children in armed forces and groups is criminalized under Sudanese law. However, the country task force verified 39 cases of underage recruitment and use by government forces, 31 of which were attributed to the Popular Defence Forces and 8 to the Sudan Armed Forces, mostly in 2012 and 2013. For instance, in one incident involving the Sudan Armed Forces, two boys aged 13 and 14, who were recruited in October 2013, reported that they had completed military training in Blue Nile State and remained with the Sudan Armed Forces until at least the end of December 2013. The country task force could not ascertain their status thereafter. While the verified figures remained low for government forces,

additional, credible information was received regarding the recruitment and use of children by the Sudan Armed Forces and the Popular Defence Forces that could not be verified. For example, in July and August 2015, three boys were reportedly recruited by the Sudan Armed Forces in El Damazin and released after their parents intervened. In 2015, a recruitment campaign by the Sudan Armed Forces was reportedly ongoing in Blue Nile State, during which children were allegedly recruited after obtaining official documents with a falsified age.

22. The Sudan People's Liberation Movement-North was responsible for the largest number of verified cases of recruitment and use of children, namely, 104 of the 230 cases (45 per cent). Of those 104 cases, 97 were documented in the first three years of the conflict. Children were reportedly enrolled in military training and used in support functions. From 2014, the recruitment and use of children by the armed group decreased and occurred mostly in South Sudan. Indeed, 16 of the 26 children recruited in 2013 were recruited by SPLM-N in refugee settlements in Upper Nile and Unity States in South Sudan. In 2014 and 2015, child recruitment by the group was documented exclusively in Unity State, with reports received of children being forcibly recruited during a campaign in November 2014. Allegations were also received of child recruitment in the greater Upper Nile region in 2016.

23. The cross-border activities of other armed groups also reportedly involved the recruitment and use of children. For example, approximately 400 South Sudanese children were allegedly recruited by Sudan People's Liberation Movement/Army in Opposition (SPLM/A-IO) from the Kharasana refugee camp, Western Kordofan State, during a mass recruitment campaign in October 2015.

24. With regard to the 70 cases attributed to SPLA, 22 were documented in 2011 before the secession of South Sudan, while 48 were documented in 2012 in the Abyei Area, where SPLA was present in contravention of the security arrangements for the Abyei Area.

Darfur

25. A total of 105 cases of the recruitment and use of children were documented in Darfur, as follows: 45 in 2011, 31 in 2012, 18 in 2013, 6 in 2014, 4 in 2015 and 1 in 2016. Approximately 90 per cent of those cases occurred between 2011 and 2013. It is important to note that, in 2014, fighting declined and that armed actors were concentrated in certain areas, such as Jebel Marra, which the country task force could not access. Furthermore, JEM and SLA/MM reportedly suffered heavy losses during Operation Decisive Summer and ceased to be active in Darfur from the second half of 2015. The decline in fighting also coincided with an upsurge in the use of children in tribal clashes fuelled by disputes over land and natural resources in 2013 and 2014. It was not always possible to attribute responsibility for such recruitment and use, and approximately one third of the total cases were perpetrated by unidentified armed men.

26. In cases in which perpetrators were identified, approximately half were committed by government forces with a total of 63 cases: 21 in 2011, 17 in 2012, 18 in 2013, 3 in 2014 and 4 in 2015. No cases were documented in 2016. Of the violations committed by government forces, 19 (approximately one third) were committed by the Border Guards between 2011 and 2013, 14 by the Popular Defence Forces and 9 by the Central Reserve Police, both of which were actively recruiting in 2011 and 2012, and 7 by the police, in 2011. With regard to the Sudan Armed Forces, the country task force verified 14 cases over the reporting period. It is believed that some of the children participated in military operations while others were used in support functions, such as guarding checkpoints. For example, in July 2015, a 17-year-old boy reported that he had joined the Sudan Armed Forces in

January 2014 and participated in the fighting between JEM-Abbas and the Sudan Armed Forces in June 2014. In August 2015, two armed boys in military uniforms were observed guarding checkpoints outside Nyala, which are usually guarded by the Sudan Armed Forces and the Rapid Support Forces. In addition, children were observed with the Sudan Armed Forces and other government forces, wearing uniforms and/or carrying guns. In 2014, an estimated 37 children were seen carrying guns in a market in Ed Daein, East Darfur State. In 2013, 12 boys wearing military uniforms were seen in vehicles of the Sudan Armed Forces in Jebel Moon, West Darfur State, during a handover ceremony from an outgoing to an incoming field commander of the Sudan Armed Forces. A number of allegations were also attributed to the Rapid Support Forces. For example, in March 2014, eyewitnesses reported the presence of boys between the ages of 15 and 17 during a parade of the Rapid Support Forces in Nyala. In August 2015, six armed boys dressed in Rapid Support Forces uniforms were observed in the market of Duma village, South Darfur State.

27. With regard to armed groups, the country task force verified 11 cases (7 in 2011, 3 in 2012 and 1 in 2016) of the recruitment and use of children, 5 of which were attributed to SLA/AW, 4 to JEM, 1 to SLA/MM and 1 to the Liberation and Justice Movement (LJM). The decrease in documented cases can be explained by insecurity and access challenges. Moreover, from late 2014, JEM and SLA/MM were less active in Darfur, and JEM moved to South Sudan, where it supported SPLA. Nevertheless, allegations of child recruitment by those groups were received. For example, in Umm Barru, North Darfur State, between February and March 2015, a mobilization campaign by SLA/MM allegedly took place, during which an alleged 246 boys were recruited and transported to a military camp. The presence of JEM in South Sudan coincided with the documentation of 61 cases of the recruitment and use of children by JEM in refugee settlements in South Sudan, of which 55 occurred in 2014 and 6 in 2015. According to the Panel of Experts on the Sudan, large-scale recruitment and use of children by JEM in South Sudan took place in 2015 (see S/2016/805). These children reportedly received military training, including in combat and handling weapons, in JEM camps in South Sudan. During a visit to the Sudan in March 2016, my Special Representative for Children and Armed Conflict was given access to 21 children who had been detained by the National Intelligence Security Services since April and August 2015 for their association with JEM. The children, who had been captured by the Rapid Support Forces in South Darfur State, were recruited by JEM in Southern Kordofan State and South Sudan and used in combat in Darfur and South Sudan. Some of them reported that they had been abducted by JEM.

28. In 2013, the country task force witnessed an upsurge in the use of children by communities for fighting in tribal clashes. For instance, in December 2013, a United Nations team conducted a field mission to Sereif, North Darfur State, and interviewed 25 boys who said that they had participated in clashes between the Beni Hussein and Abbala tribes over gold mines. The trend continued in 2014 when, for example, children were observed carrying weapons alongside tribal militias in the North Darfur State localities of Kabkabiyah, Saraf Omra and Sereif. In addition, children were also reportedly armed to serve as sentinels to guard villages and deter attacks by other tribes. Such use of children decreased from late 2014, coinciding with the engagement by the African Union-United Nations Hybrid Operation in Darfur (UNAMID) with key tribal leaders.

B. Killing and maiming of children

Southern Kordofan and Blue Nile States and the Abyei Area

29. During the period under review, the country task force documented a total of 328 cases of killing (150) and maiming (178), the vast majority of which occurred in the course of hostilities between government forces and SPLM-N. For example, 113 children were killed and maimed in crossfire and shelling that could not be attributed to any party to the conflict. Unexploded ordnance caused 31 child casualties, resulting in the death of 12 children and the maiming of 19 others. Approximately 43 per cent of the 328 child casualties occurred in the first two years of the conflict (141 casualties in 2011 and 2012). In 2013, the number of casualties decreased, with a total of 37. Figures increased again in 2014, with 62 casualties, and 2015, with 85 casualties, followed by a significant drop in 2016, with 3 casualties. The country task force was able to document only that 68 children were killed and maimed by the Sudan Armed Forces, the Popular Defence Forces and the Central Reserve Police, and 40 by SPLM-N. For example, 60 of the 62 children killed and maimed in 2014 were victims of government shelling of areas controlled by SPLM-N. The shelling by SPLM-N of Government-held positions also claimed the lives of children. In two incidents in April 2015, six children were killed and maimed in shelling by SPLM-N in Southern Kordofan State. In addition, the killing of children in an aerial bombardment of Hayban, Southern Kordofan State, in May 2016 was reported, but could not be verified.

30. In 2015, the country task force documented cross-border violations that resulted in child casualties. In one incident in February, six boys were killed and five maimed by SPLA during an attack on a Misseryia group in Nabag, Abyei Area. In December 2015, three children were killed and maimed in air strikes by the Sudan Armed Forces on Khor Tumbak, Maban county, Unity State, South Sudan.

Darfur

31. In Darfur, 971 children were killed (369) and maimed (602) during the reporting period. From 2012, child casualties increased, with 71 cases in 2011, 119 in 2012, 189 in 2013, 197 in 2014, 196 in 2015 and 199 in 2016. The trend coincided with the launch of Operation Decisive Summer. Attributing responsibility has been challenging, particularly in the light of the lack of access and ongoing hostilities.

32. The majority of child casualties occurred during armed confrontations between government forces and armed groups and as a result of aerial bombardments. Incidents involving unexploded ordnance were also a significant cause of child casualties, with a total of 304 children affected, 84 of whom were killed and 220 maimed. In most instances, unexploded ordnance were found by children, who mistook them for toys or tampered with them. The intensification of tribal clashes also affected children. In addition, allegations were also received of child casualties during aerial bombardment by the Sudan Armed Forces.

C. Rape and other forms of sexual violence

33. The monitoring and reporting of incidents of sexual violence continued to be challenging owing to the sensitivity surrounding the issue and the lack of access. In Darfur, sexual violence remained a serious concern.

Southern Kordofan and Blue Nile States and the Abyei Area

34. During the reporting period, 13 cases of rape of children between the ages of 8 and 17, including one boy, were verified, 8 of which were attributed to the Sudan Armed Forces, 1 to the Popular Defence Forces, 1 to the Rapid Support Forces and 3 to pro-government militias. The case attributed to the Popular Defence Forces occurred in Southern Kordofan State in 2011. Of those attributed to the Sudan Armed Forces and the Rapid Support Forces, six took place in 2015 and three in 2016 in Blue Nile State. For the cases documented in 2015 and 2016, suspected perpetrators were arrested, and five trials were held. Four members of the Sudan Armed Forces were convicted and sentenced to between 1 and 10 years' imprisonment, and dismissed from the army.

Darfur

35. A total of 372 cases of rape of children were verified in Darfur, 59 of which occurred in 2011, 36 in 2012, 62 in 2013, 60 in 2014, 60 in 2015 and 95 in 2016. The majority of the perpetrators could not be identified. In cases in which responsibility could be attributed, perpetrators often belonged to government forces, including the Sudan Armed Forces, the Popular Defence Forces, the Central Reserve Police, the Border Guards, the police and aligned militias, and, from 2014, the Rapid Support Forces. For example, between 2014 and 2016, the country task force was able to attribute 53 cases to government forces, including 29 to the Sudan Armed Forces, 19 to the Rapid Support Forces, 3 to the Central Reserve Police and 2 to the police, and 18 cases to pro-government militias. From 2014, an increasing number of rapes were also perpetrated by members of tribal militias.

36. In most cases, children were raped during attacks on their villages or in the vicinity of camps for internally displaced persons when performing domestic activities, such as fetching water and wood, working on small farms or returning from markets or schools. Victims were often threatened at gun point.

37. Allegations were also received of 200 cases of rape, including of children, by the Sudan Armed Forces in Thabit, North Darfur State, in October 2014. On 9 November 2014, UNAMID conducted a mission to investigate the allegations, but was unable to verify them because security personnel were present during interactions with the community. UNAMID faced restrictions in its effort to access Thabit immediately after the incident and could not confirm the allegations.

38. Only two of the verified cases of rape were attributed to armed groups, one each to SLA/MM, in 2013, and JEM/Peace Wing, in 2015. Given the inability of the country task force to access areas held by armed groups, it is likely that sexual violence perpetrated by armed groups is underreported. The United Nations verified the rape of 12 children by JEM in Unity State, as the group moved to South Sudan. Girl survivors reported that they had been promised money and the opportunity to study abroad, but were forcibly used for sexual purposes by JEM elements.

39. Many victims, family members and witnesses were hesitant to report incidents for fear of stigma and reprisals or owing to mistrust in law enforcement and judicial authorities or, at times, to inaction by the competent authorities. Until the introduction of an amendment to the Criminal Code in 2014, legal provisions could be interpreted in such a way as to allow for the survivor to be accused of adultery, which prevented the reporting of incidents. In cases in which crimes were reported and perpetrators identified, families of victims often settled cases through customary means rather than in court.

D. Attacks on schools and hospitals

Southern Kordofan and Blue Nile States and the Abyei Area

40. Five attacks on schools, including on education personnel, were documented in the Two Areas. Schools were also mostly destroyed or severely damaged as a result of aerial bombardment and shelling by the Sudan Armed Forces on territories held by SPLM-N, mostly in the Nuba mountains. For example, on 28 March 2015, a school was reportedly burned down and supplies looted in the town of Habila, Southern Kordofan State, during clashes between SPLM-N and the Sudan Armed Forces. An incident in April 2015 involved the killing of education personnel by the SPLM-N in Western Kordofan State. In 2016, two reports of attacks on schools as a result of aerial bombardment on the territories held by SPLM-N in Southern Kordofan State were received but could not be verified.

41. Six attacks on hospitals, including two on hospital personnel, were documented in Southern Kordofan and Blue Nile States and the Abyei Area. There were also cases of hospitals being destroyed or severely damaged as a result of aerial bombardment and shelling by the Sudan Armed Forces, mostly in the Nuba mountains. For example, on 20 January 2015, a hospital run by Médecins sans frontières in Farandalla, Buram county, was bombed by the Sudan Armed Forces while patients and medical staff were inside, forcing medical activities to be suspended. The same hospital had already been bombarded on 16 June 2014, injuring six people, including one staff member from Médecins sans frontières, and destroying the hospital emergency room and pharmacy. On 16 February 2015, the medical store of a clinic in Hayban was reportedly damaged in an aerial bombardment. Attacks also occurred during armed clashes between parties to the conflict. For example, during the aforementioned clashes in Habila on 28 March 2015 (see para. 40), a hospital was damaged and supplies looted. The country task force documented one incident in which SPLM-N killed one member of medical staff in Western Kordofan State in April 2015.

42. Three cases involving the military use of schools were also reported. In September 2014, Sudan Armed Forces elements used two schools in Southern Kordofan State as military camps: Gadid basic school in the Abu Jibeha locality and Suq al-Jabal basic school in the Abbasiyya locality. In March 2016, the country task force documented the military use of Murta primary mixed school, near Kadugli, by the National Intelligence Security Services. At the time of writing in December 2016, the school had been turned into a base of the Sudan Armed Forces and the National Intelligence Security Services.

Darfur

43. In Darfur, 46 attacks on schools were documented. Schools were totally or partially destroyed and looted in aerial bombardment and during armed clashes between parties to the conflict. The number of schools attacked increased, with 3 in 2013, 10 in 2014, 13 in 2015 and 20 in 2016. Of the 46 documented attacks, 39 were allegedly perpetrated by government forces, including the Central Reserve Police, the Rapid Support Forces and the Sudan Armed Forces, and by pro-government militias. For example, in March 2016, schools were destroyed in an aerial bombardment over Jebel Marra. Schools were also damaged during hostilities between government forces and armed groups. For example, the country task force documented an incident in which two schools were reportedly looted and burned in February 2014, following fighting between the Rapid Support Forces and SLA/MM in Umgonia village, South Darfur State. In January 2015, the Rapid Support Forces attacked villages around eastern Jebel Marra and looted six schools, including in

Ana Bagi, Bombay Sejeeli and Umm Arda. Schools were affected by tribal violence that intensified in Darfur over the reporting period. For example, in 2015, one school in East Darfur State was destroyed during the conflict between the Rizeigat and Habania tribes. On 13 September 2014, the Bellisrif basic school in eastern Jebel Marra was partially burned down during a clash between nomads and farmers.

44. A total of 16 hospitals and clinics were attacked, destroyed or looted, 8 in 2014, 2 in 2015 and 6 in 2016. In one instance, in February 2014, a clinic operated by an international non-governmental organization in Umgonia was ransacked and burned down during fighting between the Rapid Support Forces and SLA/MM. In March 2014, a hospital in Saraf Omra, North Darfur State, was looted by militias during an attack on the town. In January 2015, the burning of Hashabah clinic in the Mellit locality, North Darfur State, during an attack on the village, allegedly by the Rapid Support Forces, was documented. Most attacks in 2016 resulted from aerial bombardment in Jebel Marra.

45. The military use of five schools by the Sudan Armed Forces was documented. For example, three basic schools in Boldong, Toromowra and Fanga Shamal, Central Darfur State, were reportedly used in 2016, and, as at December 2016, two of them were still reportedly being used for military purposes.

E. Abduction

46. The country task force documented the abduction of 66 children during the reporting period, 3 of whom were abducted in the Two Areas, 7 in the Abyei Area and 56 in Darfur. Abduction was committed mostly for the purpose of recruitment, and abducted children were frequently used to perform support functions and domestic chores. Girls were reportedly often sexually abused.

Southern Kordofan and Blue Nile States and the Abyei Area

47. Seven children from the Ngok Dinka community in the Abyei Area were abducted by Misseryia militiamen. Five of them were abducted in January and March 2015 during deadly attacks on the villages of Mantenten and Marial Achak by Misseryia militiamen. The remaining two were abducted in 2016. All seven children were released and reunited with their families following interventions by the United Nations Interim Security Force for the Abyei Area.

48. In 2015, three children were abducted by SPLM-N, including two from refugee settlements in Unity State, South Sudan.

Darfur

49. The country task force documented the abduction of 56 children between the ages of 8 and 17 in Darfur, 1 of whom was abducted in 2011, 6 in 2012, 15 in 2013, 13 in 2014 and 21 in 2016. Of those abductions, 26 were attributed to the Sudan Armed Forces, the Rapid Support Forces and pro-government militias, 3 to JEM, 1 to SLA/AW and 26 to unidentified armed elements.

50. As mentioned in section A, some of the 21 children released from National Intelligence Security Services detention reported to my Special Representative for Children and Armed Conflict that they had been abducted by JEM in Southern Kordofan State and South Sudan, from their homes or while they were performing domestic chores.

F. Denial of humanitarian access

51. Humanitarian access to conflict-affected areas in Darfur, Southern Kordofan and Blue Nile States, and the Abyei Area remained severely constrained owing to ongoing hostilities, insecurity and Government-imposed restrictions. Significant access challenges included disputes over needs assessments, operational mobility and freedom of movement, interference with programme administration and implementation, the impact of ongoing conflict and hostilities, incidents of violence and intimidation, and physical access difficulties.

52. In Southern Kordofan and Blue Nile States, the United Nations had limited or no access to areas controlled by SPLM-N from the outbreak of conflict in 2011. Access negotiations were not successful, which affected the delivery of assistance to children. For example, from 2012, the Government and SPLM-N failed to reach an agreement on facilitating the vaccination of children in areas held by SPLM-N. As a result, at least 165,000 children could not receive polio vaccinations, and 575,000 children were denied routine immunization. In addition, attacks against humanitarian aid workers were of particular concern. In one incident in February 2015, three staff members of the Sudanese Red Crescent Society, who were monitoring food distribution in the Kurmuk locality, Blue Nile State, were killed, and another was injured by unidentified armed men.

53. Humanitarian access also continued to be hampered in areas of Darfur owing to ongoing hostilities and restrictions and bureaucratic impediments imposed by the Government, often on security grounds. In particular, access to areas not under the control of the Government, such as Jebel Marra, remained extremely limited, which had a detrimental effect on children in need of assistance. In 2016, humanitarian access was denied in 14 documented cases. For example, in May, military intelligence denied clearance to a United Nations humanitarian assessment team to Anka, Um Rai and Biridik. Nonetheless, it should be noted that, at the time of writing in December 2016, UNAMID was able to access some key conflict-affected locations, such as Fanga Suk, Rockero and Golo.

54. Attacks against humanitarian facilities and personnel by unidentified armed men were another source of major concern. For example, in November 2013, two members of staff of the State Ministry of Health and their driver, who were on mission as part of a measles vaccination campaign, were shot dead by unidentified armed men in Gokar village, Habila locality, West Darfur State. The vaccination campaign was suspended following the incident. Similarly, several missions by humanitarian actors to assess the needs of newly displaced populations and provide emergency supplies for children could not take place because of restrictions imposed by the Government.

IV. Progress made by the parties to the conflict in and measures adopted by national authorities for addressing grave violations against children

A. Progress made on the national framework for the protection of children

55. On 21 July 2013, the Government enacted a law raising the age of recruitment into the Popular Defence Forces to 18 years, thus repealing the Popular Defence Forces Act of 1989, which allowed recruitment from the age of 16 years. The law also established 18 years as the minimum age for entry into the national reserve

service and the national service. These important developments complemented the already existing Sudan Armed Forces Act of 2007, the Police Act of 2008, the Criminal Code of 2008 and the Child Act of 2010, which prohibited and outlined sanctions for underage recruitment. The Criminal Code further criminalized the recruitment of children into the Sudan Armed Forces and stipulated that children associated with armed forces and groups should be treated primarily as victims, in line with the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups, which have been endorsed by the Sudan. The Criminal Code also criminalized offences relating to sexual violence and specifies the sentences for the use of coercion or violence in acts of a sexual nature.[1] Moreover, in 2014, the Criminal Code was amended to differentiate rape from adultery, and, in 2016, the Ministry of Justice issued a circular reiterating the amendment and emphasizing reparations for victims of sexual violence.

56. In January 2012, the National Human Rights Commission was established, including a specific unit to support court hearings related to children. Subsequently, an office opened in North Darfur State to cover all five Darfur States. A national coordination mechanism for family and child protection units of the national police was also created by decree in January 2012, with the aim of enhancing capacity and providing technical, logistical and financial support to the units. The units proved to be instrumental in the investigations of grave violations affecting children, in particular sexual violence, and have provided legal and psychosocial support to underage victims and their families.

57. During the reporting period, the country task force witnessed efforts by the Government to improve accountability for grave violations against children. A number of perpetrators from the security forces suspected of killing, maiming and committing sexual violence against children were arrested, some of whom were prosecuted and convicted. For example, in December 2014, a policeman was sentenced to 20 years' imprisonment for the rape of a 6-year-old girl in Central Darfur State. A number of additional steps were taken to combat sexual violence. Between October 2015 and June 2016, a special prosecutor for violence against women was appointed in North Darfur State, and 20 prosecutors were deployed across Darfur to improve access to justice. However, some of them had to work from headquarters owing to the lack of adequate resources and the volatile situation in their areas of deployment (see A/HRC/33/65). In spite of such encouraging developments, a large number of alleged perpetrators were not brought to justice, and efforts need to be sustained to address impunity (see A/HRC/33/65).

B. Programmatic support to national institutions

58. The collaboration between the Government and the country task force continued to strengthen child protection systems. Capacity-building activities and training were conducted for security forces and government officials, including line ministries, the judiciary, family and child protection units and social services, to raise awareness of the Child Act of 2010 and the responsibilities of the Government in protecting children. Child protection was also integrated into the curricula of the police and judicial training institutes of the Sudan. In Darfur, UNAMID held awareness-raising sessions with government forces, the Darfur Regional Authority, native administration and state ministries.

V. Status of reintegration of children formerly associated with armed forces and groups

59. Between April and July 2011, 378 boys were released from SPLA, which at that time was an armed group, and registered with the National Disarmament, Demobilization and Reintegration Commission of the Sudan. They were provided with reintegration support. Furthermore, 29 boys who escaped from SPLM-N in Southern Kordofan State in 2012 were successfully reunited with their families. During the period under review, in Darfur, 308 children were released from armed groups that signed the Doha Document and registered with the National Disarmament, Demobilization and Reintegration Commission.

60. As mentioned in sections A and E, the 21 children detained by the National Intelligence Security Services and released following advocacy by the United Nations were handed over to national child protection actors on 22 September 2016. The United Nations Children's Fund (UNICEF) provided support for family tracing and reintegration. The children were also granted a presidential pardon. As at December 2016, all but one, a South Sudanese child, had been reunited with their families.

VI. Progress on dialogue and an action plan with the Government of the Sudan

61. On 27 March 2016, the Government of the Sudan signed an action plan with the United Nations for the protection of children from violations in armed conflict, by which it committed to end and prevent the recruitment and use of children by its armed and security forces. The signature thereof took place under the auspices of the Minister for Foreign Affairs and was witnessed by my Special Representative for Children and Armed Conflict. Although the Government of the Sudan does not have a policy to recruit children into its security forces, it committed to take specific steps to strengthen prevention and promptly investigate allegations. It also committed to release immediately anyone identified in its armed and security forces as being underage. Implementation mechanisms were put in place, including a high-level ministerial committee established by presidential decree in May 2016 to oversee the implementation of the action plan. The committee complemented the work of the existing technical committee led by the National Council for Child Welfare. The President approved a circular to all ministries to support the implementation of the action plan, and an operational plan was adopted. Instructions were given to the governors of conflict-affected States to provide their support to the implementation thereof. Command orders were issued by the Sudan Armed Forces and the police. The committee met regularly and, in June 2016, organized a workshop with all actors involved to develop benchmarks for measuring progress in the implementation of the action plan and to outline the responsibilities of all institutions concerned. In September 2016, the Government informed the United Nations that a focal point at the level of Inspector General had been appointed to facilitate discussions on access.

62. Although the Government demonstrated firm political commitment to the action plan, its success will be measured in the implementation thereof. In that regard, there are key challenges to overcome, such as access to conflict-affected areas for the purposes of monitoring and verifying violations and assessing progress towards compliance. In addition, loopholes that have allowed children to be recruited or used should be addressed. For example, the level of birth registration in Darfur and Southern Kordofan and Blue Nile States, which is the lowest in the

country, can make children vulnerable to recruitment. Despite the criminalization of child recruitment, information was received about the falsification of identification documents during recruitment campaigns by the Sudan Armed Forces and other government forces. In the context of the implementation of the action plan, I hope that the Government will consider strengthening birth registration in the conflict-affected States and establishing age verification mechanisms in the recruitment process as priorities for preventing the recruitment and use of children. These issues were raised by my Special Representative for Children and Armed Conflict during her visit to the Sudan in March 2016.

VII. Progress on dialogue with armed groups

Southern Kordofan and Blue Nile States and the Abyei Area

63. Meetings were held with the leadership of SPLM-N, three of which involved my Special Representative on Children and Armed Conflict and were held in September 2012 and in May and November 2016. Following continued engagement by UNICEF and the Office of my Special Representative, on 23 November 2016, SPLM-N signed an action plan to end the recruitment and use of children and committed to facilitate access to children in areas under its control. In December 2016, the group established an implementation mechanism.

Darfur

64. Following engagement by UNAMID, a number of commitments for the release of children were made by several armed groups that have since ceased to exist. For example, in April 2011, JEM/Peace Wing participated in a Government-sponsored demobilization exercise in El Geneina, during which children were identified and registered with the National Disarmament, Demobilization and Reintegration Commission. In September 2011, SLA-Mother Wing (Abu Gasim) and SLA-Historical Leadership registered 250 children and 74 children, respectively, with the National Disarmament, Demobilization and Reintegration Commission.

65. Ongoing dialogue between JEM and UNAMID resulted in consultations taking place in Austria in July 2012, following which the group issued a command order prohibiting the recruitment and use of children. In September 2012, JEM signed an action plan to end underage recruitment and use. A follow-up committee was later established and tasked with the implementation of the action plan. In February 2013, JEM confirmed that a verification exercise to identify children within its ranks had been completed in the areas of eastern Jebel Marra and the borders with South Sudan and Southern Kordofan State, resulting in the separation of 10 children who were subsequently reintegrated into their communities. Renewed command orders were issued in September 2015 and January 2017. Nevertheless, there have been concerns about reports of the continued recruitment and use of children and other grave violations by JEM in Southern Kordofan State and South Sudan, as highlighted in the present report. These issues were raised with the leader of JEM by my Special Representative for Children and Armed Conflict in a meeting in Geneva in November 2016.

66. UNAMID met with the Chair of SLA/AW in Kampala in November 2012 to follow up on earlier visits to the localities controlled by SLA/AW in Jebel Marra. The meeting resulted in the issuance of a command order prohibiting the recruitment and use of children. Although engagement with SLA/AW has continued, the lack of access to Jebel Marra has prevented such dialogue from bearing fruit.

67. In 2007, SLA/MM signed an action plan with the United Nations. It was not, however, until December 2013 that a command order prohibiting the recruitment and use of children was issued by its leadership and until August 2014 that an operational mechanism was established to implement the command order.

68. In May 2015, my Special Representative for Children and Armed Conflict participated in consultations with the leadership of JEM, SLA/AW and SLA/MM, which were held in Austria and organized by UNAMID under the auspices of the Austrian Study Centre for Peace and Conflict Resolution. The three leaders reiterated earlier commitments and signed a joint statement on the situation of children in Darfur, in which they accepted responsibility for the protection of children and pledged to end and prevent grave violations against them.

VIII. Advocacy and protection response

69. In Darfur, following dialogue between UNAMID and the leadership of the nomadic communities and the Mohameed tribe, Sheikh Musa Hilal issued a command order in July 2013 prohibiting the recruitment and use of children by members of those communities. UNAMID supported the dissemination of the command order. In October 2014, Sheikh Musa Hilal initiated a community-based strategic plan to end the use of children in tribal clashes in North Darfur State, which was endorsed by the leaders of several tribes, including Abala, Beni Hussein, Fur, Tama, Gimir and Awlad. UNAMID has not documented any cases of the use of children in tribal clashes in the area since.

70. In November 2014, UNAMID, in partnership with UNICEF and the National Disarmament, Demobilization and Reintegration Commission, launched a Darfur-wide campaign entitled "No Child Soldier — Protect Darfur" in the village of Masseriah, North Darfur State. Masseriah was chosen for the launch following a surge in tribal clashes in North Darfur State, during which children were used to fight.

71. As mentioned earlier, my Special Representative for Children and Armed Conflict visited the Sudan in March 2016 to witness the signature of the action plan and engage with national authorities on its implementation and other child protection issues (see para. 61). Although she witnessed political commitment to the action plan in her interactions with senior government officials, she emphasized that access for the United Nations to conflict-affected areas and populations would be a critical ingredient for success. She also advocated greater efforts to hold perpetrators of grave violations against children accountable, stressing that the national legal framework was in place and that international human rights instruments had been ratified by the Sudan.

IX. Observations and recommendations

72. I condemn the continuing grave violations committed against children in armed conflict in the Sudan, in particular killing and maiming, sexual violence and attacks on schools and hospitals. I am concerned by reports of grave violations committed by Sudanese armed groups in South Sudan, in particular the recruitment and use of children by JEM. I call upon all parties to the conflict in the Sudan to urgently end and prevent grave violations against children and to abide by their obligations under international human rights and humanitarian law.

73. I am concerned that access by the United Nations to vulnerable populations, including children in Darfur and Southern Kordofan and Blue Nile States continues

to be a challenge. It is deplorable that children living in conflict-affected areas are deprived of basic humanitarian assistance, including routine vaccinations. I urge the Government of the Sudan and the armed groups to ensure safe, rapid and unimpeded humanitarian access for the United Nations and its partners to conflict-affected children.

74. I welcome the steps taken by the Government to strengthen the protection of children affected by armed conflict, in particular through the strengthening of its national legal framework and the signing of an action plan aimed at ending and preventing the recruitment and use of children by its security forces in March 2016. I encourage the Government to continue such efforts and to expedite the implementation of the action plan. In that regard, I urge the Government to grant access to the United Nations for the purpose of monitoring progress in the implementation thereof.

75. I am encouraged by the measures adopted to improve efforts to hold perpetrators of grave violations against children, in particular sexual violence, accountable. In that regard, I call upon the Government to continue its efforts to address impunity by strengthening the justice system, swiftly bringing perpetrators to justice and ensuring that all victims have access to justice and the medical and support services that they need.

76. I encourage the Government to identify gaps that have allowed children to be recruited and used in its forces, including through the establishment of strong age verification mechanisms. I urge the Government to consider strengthening birth registration in the conflict-affected States and establishing age verification mechanisms in the recruitment process as priorities for preventing the recruitment and use of children. These issues were raised by my Special Representative for Children and Armed Conflict during her visit to the Sudan in March 2016.

77. I welcome the release by the Government of the 21 children who had been detained for over a year by the National Intelligence Security Services for their association with JEM, their handover to child protection actors and the reunion of most them with their families. I encourage the Government and the United Nations to continue supporting the reintegration of those children until their successful return to civilian life.

78. I welcome the continued engagement of JEM, SLA/MM and SLA/AW with the United Nations to end and prevent grave violations against children, and I urge them to abide by their commitments. I also urge JEM and SLA/MM to take all necessary steps to fully implement the action plans. With regard to SLA/AW, I encourage the leadership to continue the dialogue with the United Nations and to adopt an action plan to end the recruitment and use of children.

79. I welcome the signing of an action plan by SPLM-N in November 2016 to end and prevent child recruitment, as well as the group's commitment to facilitate access for the United Nations to areas under its control. I urge the leadership of SPLM-N to translate its commitments into action by fully implementing its action plan. In addition, I urge the Government of the Sudan and SPLM-N to facilitate access to the areas held by SPLM-N for the purpose of delivering assistance to children, verifying allegations of violations and monitoring progress in the implementation of the action plan. I encourage the donor community to support the implementation of all action plans, including through the provision of financial resources to United Nations agencies, funds and programmes and of services to victims of grave violations.